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# FEDERAL REGISTER

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## Regulations

### TITLE 8—ALIENS AND NATIONALITY

#### Chapter II—Office of Alien Property Custodian

##### PART 501—CLAIMS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, determining that it is in the national interest, hereby amends Part 501 of the Regulations of the Office of Alien Property Custodian (7 F.R. 2290) to read as follows:

§ 501.1 *Receipt and disposition of claims.* (a) Any person asserting a right to relief from or against the Alien Property Custodian because of any vesting, supervisory or other order of the Alien Property Custodian shall file with the Office of Alien Property Custodian, Washington (25), D. C., a notice of claim. Such notices shall be filed on the following prescribed forms, in conformity with the instructions set forth therein:

Form APC-1—(for claims arising out of vesting orders)

Form APC-6—(for claims arising out of supervisory orders)

Form APC-16—(alternative form for inventors of vested patents)

Form APC-17—(alternative form for assignees of vested patents),

*Provided*, That by consent of the Custodian, on a showing of inapplicability of the above prescribed forms, notices of claim may be filed by informal written recital. Claims shall be filed within one year after the order to which they relate; provided that the Custodian may extend the time for filing. The forms may be obtained from the Office of Alien Property Custodian, Washington (25), D. C.

(b) All claims shall be determined on behalf of the Custodian by a Committee to be known as the Vested Property Claims Committee, to be composed of three members designated by the Custodian. The Committee shall have a seal which shall be affixed to all exemptions of its records and, in its discretion, to any documents issued by the Committee. Except as hereinafter

provided, the Committee shall exercise all powers of the Custodian appropriate to the hearing, consideration and disposition of claims, including the power to subpoena witnesses, to compel the production of documents for use as evidence, to administer oaths to witnesses, and to promulgate rules of practice and procedure not inconsistent with these Regulations. The members of the Committee shall designate one of their number to be Chairman. Any two members of the Committee shall constitute a quorum for the purpose of any action on any claim, and any one member of the Committee or any other person designated by the Committee may act as a Hearing Officer for the purpose of administering oaths, taking testimony, ruling on objections to the admission of evidence and performing any other functions of the Committee other than that of final consideration and determination of claims.

(c) Any person appearing in any proceeding before the Committee may be represented by counsel or otherwise. The claimant and the General Counsel of the Office of Alien Property Custodian shall be deemed necessary parties to any hearing on a claim. Any other person who asserts that he will be affected by grant or denial of the claim shall, on appropriate application to the Committee, be designated by the Committee as an additional party; *Provided*, That the Committee may in its discretion reject any such application which it deems frivolous.

(d) The Committee shall not determine any claim (other than a claim which is the subject of a summary proceeding for allowance as provided in paragraph (h) of this section) except after hearing on appropriate notice to all parties, but any party may waive hearing or notice of hearing, and on consent of all parties any claim may be submitted to the Committee on a stipulated record.

(e) The Committee shall keep a record of any hearing before it, including a transcript of any examination of witnesses. Upon consideration of the record, the Committee shall issue a determination of all issues of fact and law

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necessary to the disposition of the claim, and shall transmit to the parties copies thereof. Such determination shall first be issued in the form of a tentative determination, and thereafter, with any modifications the Committee may see fit to make, in the form of a final determination. Before issuing its tentative determination the Committee shall afford to the parties appropriate opportunity to submit proposed tentative determinations and briefs thereon; and before issuing its final determination the Committee shall further afford the parties appropriate opportunity to submit proposals for modification of the tentative determination and briefs and oral argument thereon.

(f) The final determination of the Committee will be effectuated by the Office of Alien Property Custodian unless the Custodian or the Deputy Custodian, in his discretion, undertakes personal review thereof. Application by any party for such review shall be made within twenty days after receipt by him of the final determination of the Committee or within such further time as may be allowed by the Committee or the Custodian or the Deputy Custodian. If the Custodian or the Deputy Custodian undertakes such review, he will afford all parties opportunity for submission of briefs to him and, in his discretion, for oral argument before him. Upon consideration of the record, the final determination of the Committee, and any such briefs and argument, he will make a personal determination adopting, modifying, reversing, remanding, or otherwise disposing of the Committee's determination and will cause his personal determination to be transmitted to the parties and to be effectuated.

(g) Each party, on submitting any paper under paragraphs (e) or (f) of this section, shall transmit copies thereof to every other party. Oral argument shall be held only upon notice to all parties.

(h) The General Counsel of the Office of Alien Property Custodian may in his discretion initiate a summary proceeding for allowance of any claim which he deems so clearly entitled to allowance that the public interest does not require contest thereof nor hearing thereon, by submitting to the Committee a recommendation for allowance, stating the facts considered in making the recommendation. The Committee shall make the recommendation available for public inspection and shall file with the Division of the Federal Register a notice of the proceeding which shall specify an appropriate time within which any person asserting any objection to the allowance may file application for hearing. If no such application is timely filed the Committee shall thereupon make its own review of the claim and the recommendation, and shall cause to be made any further investigation which it may deem proper but need not issue any notice of hearing nor hold any hearing nor issue any tentative determination nor transmit to the claimant any copy of any

document. If the Committee concurs in the recommendation it shall issue a summary determination (which may be in the form of an approval of the recommendation) allowing the claim, and such determination will be effectuated by the Office of Alien Property Custodian. If the Committee does not concur in the recommendation, or if an application for hearing is timely filed, the Committee shall dismiss the summary proceeding and shall set the claim down for hearing in accordance with paragraph (c) above, and neither the recommendation nor the dismissal of the summary proceeding shall be considered in the hearing.

This amendment shall become effective immediately upon filing with the Division of the Federal Register: *Provided*, That by notification to the Committee within twenty days thereafter any party to a claim which on the effective date of this amendment has been heard by the Committee but not yet made the subject of findings and recommendations as provided by paragraph (g) of the "Regulations Relating to Property Vested in the Alien Property Custodian" (7 F.R. 2290) may elect that such claim be transmitted to the Custodian for decision by the Custodian in accordance with paragraph (h) thereof.

Executed at Washington, D. C., on November 30, 1943.

[SEAL]

LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-19766; Filed, December 11, 1943;  
10:24 a. m.]

#### [G. O. 15, Amendment]

### PART 503—GENERAL ORDERS

#### ALIEN INVENTORS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, determining that it is in the national interest, and for the particular purpose of conforming procedure under General Order No. 15 to the procedure stated in paragraphs (a), (e) and (h) of § 501.1 of the regulations of the Office of Alien Property Custodian as this day amended, hereby revokes paragraphs (d) and (e) of General Order No. 15 (8 F.R. 223).

Executed at Washington, D. C., on November 30, 1943.

[SEAL]

LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-19765; Filed, December 11, 1943;  
10:23 a. m.]

### TITLE 29—LABOR

#### Chapter VI—National War Labor Board

##### REVISION OF PARTS

Administrative Regulation No. 1 of the National War Labor Board adopted by it on January 22, 1942, as revised, is hereby rescinded and the following provisions are adopted in its stead:

#### PART 801—RULES OF ORGANIZATION

Sec.	
801.1	Definitions.
801.2	Regional War Labor Boards.
801.3	Industry Commissions and panels.
801.4	Meetings.
801.5	Executive sessions.
801.6	Quorum.
801.7	Voting.
801.8	The New Case Committee of the Board.
801.9	The Appeals Committee of the Board.
801.10	Joint Committee of the Board on Executive Order 9240.
801.11	The Review Committee of the Board.
801.12	The Post-Directive Committee of Board.

AUTHORITY: §§ 801.1 to 801.12, inclusive, issued under E.O. 9017, 9250; 7 F.R. 237, 7871.

§ 801.1 *Definitions.* As used in Parts 801 and 802, unless the context requires otherwise:

(a) The word "member" includes a regular, alternate, or substitute member of the National War Labor Board.

(b) The term "Board" means the National War Labor Board.

(c) The term "agent" includes Regional War Labor Boards, Industry Commissions of the National War Labor Board, the Wage Adjustment Board for the Building Construction Industry, or any other agency to which the National War Labor Board has delegated, or may hereafter delegate, authority to issue, subject to review by the National War Labor Board, (1) final rulings on voluntary applications for approval of wage or salary adjustments or (2) final directive orders in dispute cases.

§ 801.2 *Regional War Labor Boards.* Regional War Labor Boards as heretofore established by the Board shall continue to perform the functions set forth in "Jurisdiction and Procedures of Regional War Labor Boards" of April 15, 1943, as amended.

§ 801.3 *Industry commissions and panels.* The industry commissions and industry panels, and any other agencies heretofore authorized to act as agents of the Board, shall continue to perform the functions assigned to them by the Board.

§ 801.4 *Meetings.* The Board shall hold its regular meetings at 10:00 a. m. and 2:30 p. m. each day of the week except Sunday, unless otherwise determined in advance by the Board. Special meetings may be called at any time by the Chairman of the Board.

§ 801.5 *Executive sessions.* At its regular or special meetings, unless it otherwise determines, the Board shall conduct all its proceedings in executive session.

§ 801.6 *Quorum.* Six members, including not less than two members from each of the groups represented on the Board, shall constitute a quorum thereof.

§ 801.7 *Voting.* Each member shall be entitled to one vote on any matter put to a vote before the board: *Provided*, however, That tripartite equality of voting shall be preserved. A majority vote shall constitute the decision of the Board.

§ 801.8 *The New Case Committee of the Board.* The New Case Committee



shall be appointed by the Board and shall consist of two representatives of industry, two representatives of labor and either one or two representatives of the public as the Board may from time to time prescribe. The public representatives shall act as Chairmen. For a description of the functions and procedures of the New Case Committee see § 802.1, of this chapter.

§ 801.9 *The Appeals Committee of the Board.* The Appeals Committee shall be appointed by the Board and shall consist of two representatives of labor, two representatives of industry, and two public representatives who shall serve as Chairmen. The Board may establish more than one such committee. As used hereafter the term "Appeals Committee" includes any one of such committees established by the Board. For a description of the functions and procedures of the Appeals Committee see § 802.41, of this chapter.

§ 801.10 *Joint Committee of the Board on Executive Order 9240.* The Joint Committee shall consist of a representative appointed by the Department of Labor and a representative appointed by the Board. For a description of the functions of this committee see § 802.9 of this chapter.

§ 801.11 *The Review Committee of the Board.* This Committee shall be appointed by the Board and shall consist of two representatives of labor, two representatives of industry, and two public members, who shall serve as Chairmen. For a description of the functions of this Committee, see § 802.10, of this chapter.

§ 801.12 *The Post-Directive Committee of the Board.* This Committee shall consist of one representative of industry and one representative of labor, both of whom shall be appointed by the Board, and of the Director or Assistant Director of the National Disputes Division, either of whom shall serve as Chairman of the Committee. For a description of the functions of this Committee see §§ 802.12 and 802.13, of this chapter.

#### PART 802—RULES OF PROCEDURE

##### *Processing of Dispute Cases by the National Board*

Administrative Regulation No. 2 of the National War Labor Board adopted by it on January 22, 1942, as revised, is hereby rescinded and the following provisions are adopted in its stead:

##### PROCESSING OF DISPUTE CASES BY THE NATIONAL BOARD

Sec.	
802.1	The New Case Committee.
802.2	Selection of tri-partite panels.
802.3	Selection of hearing officers.
802.4	Hearing before panels or hearing officers.
802.5	Hearing before the Board.
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802.7	Arbitration proceedings.
802.8	Functions of Appeals Committee.
802.9	Functions of Joint Committee.
802.10	Functions of Review Committee.
802.11	Decisions of the Board.
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Sec.	
	tives on appeals from directives of a Board agent).
802.13	Petitions for reconsideration of Board directives in dispute cases (other than Board directives on appeals from directives of a Board agent).
802.14	Publication of official acts of the Board.

##### RULES FOR THE CONDUCT OF HEARINGS UNDER SECTION 7 OF THE WAR LABOR DISPUTES ACT

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802.41	Processing by Appeals Committee of petitions for review.
802.42	Decisions of the Board.
802.43	Reconsideration of Board orders in appeals cases.
802.44	Effective date.

AUTHORITY: §§ 802.1 to 802.44, inclusive, issued under E.O. 9017, 9250; 7 F.R. 237, 7871.

§ 802.1 *The New Case Committee.* (See § 801.8, of this chapter.)

(a) *Functions.* Upon certification of a labor dispute by the U. S. Conciliation Service or upon the amendment of a prior certification, the dispute shall be referred to the New Case Committee (unless by resolution of the Board other procedure appropriate to the particular circumstances is adopted). The New Case Committee may then, in its discretion, take any one of the following actions:

- (1) Retain the case for disposition by the Board.
- (2) Refer the case to the appropriate agent of the Board or to the appropriate industry panel.
- (3) Retain some of the issues in the case for disposition by the Board and refer the rest of the issues to the appropriate agent of the Board or industry panel.
- (4) Return the case to the U. S. Conciliation Service with an appropriate ex-

planation, provided that such action by the New Case Committee in any case may be reviewed by the Board on its own motion.

(5) Refer the case to an appropriate person or agent of the Board for preliminary investigation in accordance with the Committee's instructions.

(6) Take such other action with respect to the assignment of the case as may be deemed appropriate by the Committee.

If the Board takes jurisdiction of a case on its own motion under section 7 of the War Labor Disputes Act the Board may assign the case, itself, or refer it to the New Case Committee for assignment.

(b) *Procedure.* If the decision of the New Case Committee with respect to the acceptance or assignment of a particular case is unanimous, such decision shall be put into effect by the New Case Committee on behalf of the Board, subject to the right of the Board to review such action on its own motion. If in any case the decision of the Committee is not unanimous the case shall be referred to the Board for determination of the appropriate procedure to be followed. The presentation of the question to the Board shall be made by a public member of the Committee.

(c) *Assignment of cases retained in Washington, D. C.* When all or part of the case is retained for disposition by the Board, the New Case Committee may determine that such case or part thereof shall be referred to one of the following:

- (1) A tri-partite panel;
- (2) A single hearing officer, if the parties consent thereto;
- (3) An arbitrator, if the parties agree or have agreed that the matter in dispute should be submitted to final and binding arbitration;
- (4) The Board in special cases; *Provided, however,* That the Board may direct in any case, the particular method by which the case shall be heard.

##### § 802.2 *Selection of tri-partite panels.*

(a) A tri-partite panel shall consist of three members representative respectively of the public, industry, and labor. Each member shall be selected in the manner hereinafter described from a roster maintained by the Disputes Assignment Section. The roster shall be composed of the names of persons who have been approved by the Board. Names of individuals who are considered eligible to serve as public chairmen of tri-partite panels shall be proposed by the public members of the Board, and the other members of the Board shall be given opportunity to investigate and report to the public members on the qualifications of the nominee.

(b) Persons on the roster established in the foregoing manner shall be assigned to specific cases in accordance with the following procedure:

The Disputes Assignment Section shall propose a name for the roster on the basis of the special qualifications of the individual, the nature of the case and the location of the employer's establishment. The labor representative shall be of the same affiliation (AFL or CIO) as the Union involved. If an independent union



is involved, the name of an individual associated with another independent union shall be proposed. The proposed labor, industry or public members of a panel shall before assignment to a particular case, be approved by the Board. When a complete panel has been approved, inquiry shall be made whether the nominees are available to serve. If any nominee declines appointment, a replacement shall be selected in accordance with the procedure described above. Upon acceptance by the members of the panel of their appointment, appropriate notice shall be sent to the parties and to the panel members confirming the appointment of the panel and advising the panel and the parties of their respective rights and duties under the procedures of the Board.

**§ 802.3 Selection of hearing officers.** The Disputes Assignment Section shall select from the roster referred to in § 802.2 (a), above, the name of an individual who has been initially approved by the Board for service as a public representative on a tri-partite panel. The name so selected shall be submitted for approval to the public members of the Board. Upon such approval, inquiry shall be made as to the availability of the nominee, and if he declines appointment a replacement shall be named in accordance with the foregoing procedures. Upon acceptance of the designation, appropriate notice shall be sent by the Disputes Assignment Section to the parties and the hearing officer confirming his appointment and advising the hearing officer and the parties of their respective rights and duties under the procedures of the Board.

**§ 802.4 Hearings before panels or hearing officers.** (a) If a case is assigned to a panel or hearing officer, the panel or hearing officer shall advise the parties that they may, if they so desire, submit their evidence and argument in writing. If the parties mutually agree in writing to such a presentation, the Director of the National Disputes Division shall transmit to them any requests for information needed by the panel or hearing officer and shall advise them of the procedure to be followed in submitting their case. If the parties do not agree to present their case in writing, a public hearing shall be held upon the merits of the dispute in accordance with the provisions of §§ 802.15 to 802.27 of this part.

(b) Any person who in a particular case serves as a hearing officer or as a member of a panel reporting to the Board shall be disqualified from participating in the case in any other capacity.

**§ 802.5 Hearing before the Board.** (a) If in any dispute case retained for original disposition by the Board, it is determined that the services of a panel or hearing officer are not appropriate, the Board will order a public hearing to be held before it on the merits of the dispute, unless the parties agree to waive such a hearing. The conduct of such a hearing shall be governed by the provisions of §§ 802.15 to 802.27 of this part.

(b) In any case, following a public hearing on the merits of the dispute, the Board may, in its discretion, prior to the decision of the case, afford the parties opportunity to present oral argument before it. In such cases each party shall be allowed forty-five minutes for oral argument, unless otherwise directed.

**§ 802.6 Cases involving strikes or lockouts.** If there is a strike or lockout in progress when a case is certified to the Board or when the Board takes jurisdiction of a case on its own motion under section 7 of the War Labor Disputes Act, the Strikes Section of the Board, unless otherwise directed by the Board, shall notify the parties that the case is pending before the Board and that no action with respect to the merits of the dispute will be taken until the strike or lockout is discontinued.

**§ 802.7 Arbitration proceedings.** See §§ 802.28 to 802.35 of this part.

**§ 802.8 Functions of Appeals Committee.** See § 802.41 of this part.

**§ 802.9 Functions of Joint Committee.** (See § 801.10 of this part.) It shall be the duty of this Committee to review, prior to any decision thereon, all questions before the Board or its agents involving the interpretation or application of Executive Order No. 9240, as amended by Executive Order 9248. Such questions, when involved in cases before the Board or its agents, shall, upon receipt by the Board or its agent of the panel or hearing officer's report, be referred to this Committee, together with copies of the report and the comments of the parties thereon, the written statements, briefs and exhibits of the parties and the stenographic record, if any has been made. When such questions are involved in a case before the Board, the Committee shall thereupon submit such questions to the Board for decision with appropriate recommendations. Where such questions are involved in cases pending before an agent of the Board, the Committee may take either of the following actions:

(a) Submit the question with its recommendations to the Board for appropriate disposition, if the Committee determines that the question raises an issue of national importance.

(b) Refer the question back for decision to the appropriate agent of the Board with suitable recommendations.

Actions by the Board or its agent on all other issues in the case need not, in the discretion of the Board or its agent, be withheld pending action by the Joint Committee as above described.

**§ 802.10 Functions of Review Committee.** Except as otherwise determined by the Board in particular cases, the Review Committee (See § 801.11, of this chapter) shall, prior to action by the Board, itself, review all cases retained in Washington, D. C. for original disposition by the Board and shall make appropriate recommendations in writing to the Board. These recommendations shall be presented to the Board by one of the Chairmen of the Review Committee.

**§ 802.11 Decisions of the Board—(a) Eligibility of members of the Board to**

*participate in the decision of cases.* Any member of the Board who in a particular case serves as hearing officer, as member of a panel reporting to the Board, or as member of a review or appeals committee shall be disqualified from participating in any other capacity in any further proceedings in the case.

(b) *Remand for further hearings.* At any time before its decision of a dispute case the Board may, upon the request of a party or upon its own motion, order a further hearing to be held before the Board, a tri-partite panel, or other representative of the Board or of an agent thereof for the purpose of receiving evidence not introduced at any prior hearing in the case. The conduct of such hearing shall be governed by the provisions of §§ 802.15 to 802.27, below.

**§ 802.12 Requests for interpretation and clarification of Board directives in dispute cases (other than Board directives on appeals from directives of a Board agent).** If, after the issuance by the Board of a directive order in a dispute case, a disagreement arises concerning the interpretation of any provision of the directive order, any party to the case may file with the Board five copies of a request for clarification or interpretation of the directive order, provided that a copy of such request is at the same time transmitted by such party to all other parties to the case, and notice of the date of such transmittal is included in the request. Such other parties shall have ten days from the receipt of a copy of such request in which to mail comments thereon to the Board. The request and the comments thereon shall be referred to the Post-Directive Committee (See § 801.12 of this chapter), which shall examine the same in the light of the record in the case. Where the ruling of the committee is unanimous, the Director of Disputes shall communicate the ruling to the parties. Where the ruling of the committee is not unanimous, or in any case where a member of the committee so requests, the question shall be presented by the Chairman of the Committee to the Board for its determination.

**§ 802.13 Petitions for reconsideration of Board directives in dispute cases (other than Board directives on appeals from directives of a Board agent).** A petition for reconsideration of a decision of the Board in a dispute case may be filed by a party thereto within fourteen days after the date of the issuance of such decision to the parties. *Provided,* That a copy of such petition is at the same time transmitted by such party to all other parties to the dispute, and notice of the date of such transmittal is included in the petition. Such petition, which shall be filed with five copies thereof, shall set forth fully the reasons for requesting reconsideration of the case. The other parties shall have ten days from the receipt of a copy of the petition in which to mail to the Board comments thereon. The petition and the comments thereon shall be referred to the Post-Directive Committee, which shall examine the petition in the light of the record in the case, and shall make a recommendation to the Board on the question involved.



The Chairman of the Committee shall present the petition and comments of the parties to the Board, together with the recommendation of the Committee. The Board will either grant or deny the petition on the basis of the entire record in the case. If the petition is granted the case will be reconsidered and such disposition made or further procedure ordered therein as the Board may determine.

§ 802.14 *Publication of official acts of the Board.* All appropriate regulations and all general orders of the Board and amendments thereto shall be published in the FEDERAL REGISTER, and all decisions and opinions of the Board and its agents, including both majority and dissenting opinions, shall be released to the public and may be published in some appropriate publication to be designated by the Board.

*Rules for the Conduct of Hearings Under Section 7 of the War Labor Disputes Act*

§ 802.15 *Definition.* The term "panel" as used hereafter in this part, unless the context requires otherwise, includes any individual or body, including the Board or its agents, conducting a hearing under section 7 of the War Labor Disputes Act.

§ 802.16 *Pre-hearing procedure.* When the case has been set for hearing, the parties shall be notified at least ten days in advance of the date and place of the hearing and of the issues of which the Board or its agents have been apprised.<sup>1</sup> In an emergency the notice period may be reduced to the extent required by the exigencies of the situation. Such a notice shall not preclude the raising at the hearing of issues not specified therein, provided that for good cause shown a request for adjournment may be granted where necessary to permit a party to meet any issue raised of which he has not had adequate prior notice. The Board or its agent may in its discretion refer back to the parties for direct negotiation any issue which, in the opinion of the Board or agent, the parties have not made sufficient effort to settle through collective bargaining. The parties shall be requested to submit to the Board or its agent, as the case may be, not less than five days prior to the hearing, five copies of (a) a statement of any issues upon which they desire to be heard which are not included in the notice of hearing, (b) existing contracts, and (c) a statement of their position on each issue in dispute. If a union security issue is involved, the union shall be requested to furnish five copies of the union constitution and by-laws. A copy of each of these materials shall be served

each opposing party at the same time that it is filed with the Board or its agent.

§ 802.17 *Public character of hearing.* A public hearing shall be conducted on the merits of each dispute which has been accepted by the Board, unless the parties have agreed to present their case in writing. The record made at such hearing shall include all documents, statements, exhibits and briefs, which may be submitted, together with the stenographic record, if any. The parties shall have the right to attend the hearing with such persons as they desire, and the hearing shall be open to any other person who wishes to attend including representatives of the press and radio. The panel shall have the authority to make whatever reasonable regulations are necessary for the conduct of an orderly public hearing. The panel may, with the consent of the parties, exclude persons other than the parties at any time when the expeditious settlement of the dispute so requires.

§ 802.18 *Participation by panel in panel hearing.* (a) An attempt shall be made at the outset of the panel hearing to secure from the parties an agreed statement of any facts bearing on the issues and a definition of the issues still in dispute. The panel may, on its own initiative, at such hearing call witnesses and introduce documentary evidence, and may participate in the examination of witnesses for the purpose of expediting the hearing or eliciting material facts.

§ 802.19 *Participation by parties in hearing.* (a) The interested parties or their representatives shall be given reasonable opportunity (1) to be present in person at every stage of the hearing; (2) to be represented adequately; (3) to present orally or otherwise any material evidence relevant to the issues; (4) to ask questions of the opposing party or a witness relating to evidence offered or statements made by the party or witness at the hearing, unless it is clear that such questions have no material bearing on the credibility of that party or witness or on the issues in the case; (5) to know and rebut any evidence, oral, documentary or otherwise; (6) to present to the panel oral or written argument on the issues.

(b) The witnesses at a hearing need not be sworn, but any person who at such hearing knowingly and wilfully makes any false statements, sworn or unsworn, is subject to the penalties provided by law. (18 USCA section 80)

§ 802.20 *Stenographic records.* In all cases heard by the Board, itself, or by a Division thereof, an official stenographic record shall be made. In cases heard by, or under the authority of, any agent of the Board, no official stenographic record of the case shall be made save in exceptional circumstances and on instructions of such agent. In cases heard by a panel appointed by the Board, itself, the panel may in its discretion, subject to the approval of the National Disputes Division, order an official stenographic record of the hearing to be made.

In all cases where an official stenographic record of a hearing is made, a copy of such record shall be available for inspection by the parties. Whether or not an official stenographic record of a hearing is made, any party may, at his own expense, provide for the making of a stenographic record of the hearing but shall in such case, make a copy available to the panel without cost, and to each of the other parties to the proceeding at the regular rate for copies.

§ 802.21 *Rules of evidence.* The hearing may be conducted informally. The receipt of evidence at the hearing need not be governed by the common law rules of evidence.

§ 802.22 *Facilities available to panel and parties—(a) Wage data.* The panel or the parties may, during the proceedings in a case, consult with the appropriate Wage Stabilization Division for the purpose of obtaining information pertaining to any wage or salary issue in the case. A member of such Division may be assigned by the Wage Stabilization Director, after consultation with the Disputes Director, to attend the proceedings before the panel and to furnish any wage data that may be required. Information so obtained by a panel and used as a basis for its report or recommendations shall, prior to the submission of the report and recommendations of the panel, be made available to all the parties for their inspection and comment.

(b) *Disputes Division.* The services and advice of the appropriate Disputes Division shall be available to the panel and parties upon a proper request. Information of a factual nature furnished by that Division to a panel and used as a basis for its report or recommendations shall be made available to the parties for inspection and comment prior to the submission of the report and recommendations of the panel.

§ 802.23 *Adjournment of hearing to permit direct negotiations.* Where, in the opinion of the panel, the parties should make further efforts to settle an issue by collective bargaining or where the parties agree to do so, the panel may recess a hearing to allow the parties to resume direct negotiations for as long a period as they may mutually agree upon or until a date specified by the panel for reconvening the hearing. Whenever possible, the panel shall, at the time of the recess, notify the parties of the date when the panel will reconvene with the parties. If it is not possible to give such notice at the time of recess, the parties shall be given at least five days' advance notice of the date of reconvening, unless the exigencies of the situation require shorter notice.

§ 802.24 *Settlement of issue by Agreement between parties.* If, during the proceedings in a case, an agreement is reached between the parties with respect to any issue in dispute, they shall be requested to execute in triplicate a statement in writing to that effect, which shall be included in the file of the case, or, if that is not deemed feasible, the panel may, itself, make an appro-

<sup>1</sup> Adequate notice of the issues in a dispute before the National Board or its agents will normally have been acquired by the parties in the course of collective bargaining negotiations, or the mediation or conciliation proceedings which have preceded the hearing, and as a result of such negotiations or proceedings the parties generally will have obtained, prior to the hearing, a better knowledge of the issues to be decided than the Board or its agents will then have.



priate memorandum of the parties' agreement, which shall be included in the record.

**§ 802.25 Panel report and comments—**

(a) *General.* (1) After the conclusion of the hearing the panel shall submit to the Board or its agent, as the case may be, an original and six copies of its report and recommendations on any issues which the parties have not in the meantime settled or agreed to submit to arbitration.

(2) Unless otherwise instructed in the order of reference, or by subsequent order of the Board or its agent, panels appointed by the Board or its agents shall make recommendations as well as findings of fact. Where a novel and important question of policy is presented, however, the panel may present the question to the Board or its agents, as the case may be, together with the contentions of the parties and all pertinent information, without recommendation. When in doubt as to whether or not a given question is of such novelty and importance as to warrant presenting it to the Board or agent in this fashion, the panel shall consult the Director of the appropriate Disputes Division.

(3) The appropriate Director of disputes shall examine all reports by panels and hearings officers before their issuance to the parties for the purpose of advising the Board or agent, as the case may be, of any special problems or serious departures from established Board policy, and he shall then communicate to each member of the panel any special instructions of the Board or its agent, as the case may be.

(4) Panels shall make no recommendation or ruling on objections raised to the jurisdiction of the Board or agent but shall only hear the evidence and arguments of the parties with respect thereto and shall transmit the objection without recommendation or ruling thereon to the Board or its agent, as the case may be, together with the entire record of the case including the panel's report and recommendations on the merits of the dispute. In exceptional cases and within its discretion the panel may, prior to hearing the merits of the dispute, transmit for a ruling to the Board or its agent, as the case may be, the objections of the parties to the Board's jurisdiction together with the entire record of the case but without any ruling or recommendation by the panel.

(5) Copies of each panel report, after review by the appropriate Disputes Division, shall be sent to the parties. The parties shall have the right to submit comments upon the report and recommendations within ten days after they are mailed to them, or within such other time as may be agreed upon by the parties, allowed by the panel or by the appropriate Disputes Division. If such comments are furnished by the parties they shall be accompanied by fifteen copies, which shall be distributed together with copies of the panel report to the members of the Board or its agent, as the case may be.

(b) *Procedure in cases involving price relief or increases in production cost.* If the panel report recommends a wage

or salary adjustment, there shall be transmitted to the employer, together with a copy of the panel's report, a request that he transmit, within the period allowed him for filing comments upon such report, information on the following points:

(1) Whether he has a contract with any procurement agency of the United States government for furnishing any product or service; and if so, (i) the name of such agency and the contract number (ii) whether the granting of the wage or salary adjustment recommended by the panel may result in an increase in the cost of the product or service to the United States under such contract and (iii) what part, if any, of such adjustment may be granted without resulting in an increase in such cost.

(2) Whether the granting of the wage or salary adjustment recommended by the panel will be made the basis for an application by the employer to the Office of Price Administration for an adjustment of his individual maximum prices or for a petition for an amendment of a regulation which establishes maximum prices for his product or service, and, if so, what part, if any, of such adjustment may be granted without requiring such price relief.

(3) The employer shall be advised at the same time that if he intends to seek price relief from the Office of Price Administration in the event a wage or salary increase is directed, he must within fifteen days after the receipt of the panel's report file with the nearest office thereof an appropriate application for such relief, and notify the Board or its agent, as the case may be, of such filing within the time allowed him for transmitting comments on the panel's report. If the employer advises the Board or its agent that the granting of a wage or salary increase will be made the basis of an application for price relief or may result in an increase in the cost to the United States Government of his product or service, he shall at the same time (i) transmit to the union a copy of his statement to that effect and (ii) notify the Board or its agent of the date of such transmittal. The union may, within ten days after receiving a copy of such statement from the employer, file with the Board or its agent its comments thereon. Fifteen copies of such comments shall be furnished.

**§ 802.26 Request for wage data by Wage Stabilization Division.** If the case involves a wage or salary issue, the appropriate Wage Stabilization Division may request the parties, prior to, during, or after, the hearing to submit specified information relating to such issue and appropriate notice of such request shall be given to the other party together with a reasonable opportunity to inspect and comment upon such data prior to the decision of the case.

**§ 802.27 Subpoenas.** The Board may, by its Chairman, issue subpoenas requiring "the attendance and testimony of witnesses, and the production of any books, papers, records, or other documents, material to any inquiry or hearing before the Board or any designated

member or agent thereof." Such subpoenas may be issued on behalf of the Board or any of its agents, or on behalf of a party to a dispute before the Board or any of its agents.

(a) *Procedure for issuance of subpoenas on behalf of agents of the Board.* A request for a subpoena originating with a Regional Board or panel or hearing officer thereof shall be transmitted by the Chairman of such panel or by such hearing officer or Board to the Regional Attorney for transmission to the General Counsel of the National Board, who will present such request to the Chairman thereof. Requests for subpoenas by panels or hearing officers appointed by and reporting directly to the Board or by industry commissions or boards shall be transmitted by the Chairman of the panel or by the hearing officer, or by the Chairman of the commission or board, as the case may be, to the General Counsel of the Board for submission to the Chairman thereof. Such requests shall in all cases be accompanied by a written statement specifying (1) the name and nature of the proceeding in which the subpoena is required; (2) the name of the person whose attendance is required; (3) the body, and names of the persons, before whom such attendance is required; (4) the nature and materiality of the testimony or documentary evidence to be supplied by the witness; (5) a description of the efforts which have been made to obtain voluntary attendance of the witness or voluntary production of the required documentary evidence. The statement shall also contain the information to be inserted in the subpoena, such as the time and place of attendance, and a list of the records and documents whose production is required.

(b) *Procedure for issuance of subpoenas on behalf of parties.* The procedure shall be the same as indicated in paragraph (a) above, except that the body or person before whom attendance is required shall transmit with the request for a subpoena, in addition to the information required in paragraph (a) above, a statement as to the identity of the person or persons on whose behalf the subpoena is to be issued and a recommendation as to its issuance.

(c) *Service of subpoenas.* If a request for the issuance of a subpoena is granted the subpoena will ordinarily be forwarded to the regional attorney or other individual who transmitted the request, who will then transmit the subpoena to the proper authority for service. Save in exceptional cases, service of subpoenas shall be effected through United States Marshals within their respective territorial jurisdiction. In exceptional circumstances, service may be made by any other person who is not a party to the proceeding, and who is not less than 18 years of age. Service of the subpoena shall be made by delivering a copy to the witness personally. An affidavit of service shall be executed by the person or officer making the service. If the witness does not appear at the hearing, the original subpoena with the executed affidavit of service shall be introduced in evidence. Cases of non-compliance with a subpoena shall be reported to the gen-



eral counsel of the Board, together with a recommendation with respect to the further action to be taken by the Board under section 7 (a) (4)<sup>1</sup> of the War Labor Disputes Act.

(d) *Witness fees.* When the subpoena is issued at the request of or on behalf of, a party, the person whose attendance is required shall, at the time of service, be tendered the fees for one day's attendance and the mileage allowed by law. Witness fees and mileage in the same amounts as are paid witnesses in Federal courts shall be paid by the party at whose instance the witness appears. Where the subpoena is issued on behalf of the Board, witness fees and mileage need not be tendered at the time of service.

#### Arbitration Policy

§ 802.28 *Definitions.*—(a) *Dispute case.* The term "dispute case" as used herein means a labor dispute which has been certified to the National War Labor Board by the U. S. Conciliation Service or over which the Board has taken jurisdiction on its own motion, under section 7 of the War Labor Disputes Act or under relevant Executive orders.

(b) *Arbitrator.* As used herein, the term "arbitrator" refers to an individual or body which has been authorized by written agreement of the parties or by order of the Board or its agent to render a decision in a labor dispute which shall be final and binding upon the parties (subject only to Board review with respect to wage or salary issues).

§ 802.29 *Appointment of arbitrator.*—(a) *When Appointed by Board or Agent.* The Board or agent will appoint an arbitrator, as defined above, in the following cases:

(1) Upon the joint request of the parties;

(2) When the parties, having agreed to arbitrate, are unable to agree on an arbitrator, and such disagreement develops into a labor dispute, which comes before the Board as a dispute case; or

(3) Whenever it is deemed appropriate by the Board or its agent to do so.

(b) *Selection of arbitrator.* The appropriate Disputes Division shall propose a name from a list of persons who have been approved by the Board or agent for service as arbitrators. The name so proposed shall be submitted for approval to the Board or its agent, as the case may be. Unless the parties otherwise agree, the appointment of an arbitrator shall not be delegated by the Board or its agent to an association, agency, or individual.

§ 802.30 *Jurisdiction of Board over disputes involving arbitration.* The Board or its agent will not issue a directive order in any dispute relating to arbitration unless the dispute has come before the Board as a "dispute case," as defined above.

<sup>1</sup>Section 7 (a) (4) of the War Labor Disputes Act empowers the National War Labor Board: "To apply to any Federal District court for an order requiring any person within its jurisdiction to obey a subpoena issued by the Board; and jurisdiction is hereby conferred on any such court to issue such an order."

§ 802.31 *Review of arbitrator's award on wage or salary issues.* (a) If an award is rendered by an arbitrator on a wage or salary issue in any case, a copy of the award, together with all the information submitted to the arbitrator relating to the wage or salary issue, shall be filed by the arbitrator directly with the Board or its appropriate agent at the same time that it is issued to the parties. The Board or its agent shall immediately notify the parties that the award has been filed with it for approval, and the employer shall be requested to indicate, in accordance with the procedures set forth in § 802.25 (b) of this part, a statement whether price relief or an increase in production cost is involved. The award shall then be approved, modified, or disapproved in accordance with the Board's wage stabilization policy. In so acting the Board or its agent will seek to determine whether the arbitrator has correctly applied all the criteria of the Board's wage stabilization policy to the facts of the case. If it appears to the Board or its agent that the arbitrator has manifestly erred in applying or failing to apply any material aspect of the Board's wage stabilization policy, the Board or its agent may refer the case back to the arbitrator (for reconsideration and for resubmission to the Board or its agent) with appropriate advice in regard to the policies of the Board which are involved. Referral to the arbitrator of specific issues for reconsideration shall not preclude him from reconsidering other inter-related issues within the scope of the arbitration submission.

(b) When an arbitrator re-submits his award to the Board or its agent, it shall be processed in accordance with the procedure set forth in paragraph (a) of this section.

§ 802.32 *Enforcement of arbitration awards.* In any dispute case (as above defined) involving the refusal of a party to carry out the provisions of a wage or salary award by an arbitrator as finally ruled on by the Board or its agent, pursuant to § 802.31, above, or of an arbitrator's award on a non-wage issue, the merits of the award will not be reviewed. In acting upon such a dispute case the Board or its agent will direct that the terms and conditions of employment set forth in the arbitrator's award, or, in the case of a wage or salary adjustment, in the award as ruled on by the Board or agent, shall govern the relations between the parties unless the Board or its agent finds that the award is outside the scope of the reference or submission to arbitration. Any such directive order of the Board or its agent shall be without prejudice to the right of any party to the case to appeal to a court of competent jurisdiction for a judicial determination of the rights and obligations arising out of the award and, if such a court renders a decision contrary to the conclusions of the Board or its agent, the order, or such part thereof as may be contrary to the determination of the court, shall be considered of no force or effect.

§ 802.33 *The Board's ultimate right to review.* In any appropriate case within

its jurisdiction, the Board reserves the right on its own initiative to review any arbitration award.

§ 802.34 *Cases involving Executive Order 9240.* If the dispute submitted to an arbitrator by the parties or referred to him by the Board or agent involves the interpretation or application of the provisions of Executive Order 9240, as amended, the arbitrator's award, before it is acted on by the Board or its agents, shall be submitted, for comment, by the Board or its agent to the Joint Committee established to review all cases involving Executive Order 9240, as amended (see § 801.10 of this chapter).

§ 802.35 *Effective date.* The provisions of §§ 802.28 to 802.34, above, shall take effect on December 6, 1943, and shall apply to all cases arising thereafter and to all cases arising prior to that date in which no final action has as of that date been taken by the Board or any of its agents. The Board's statement on Arbitration Policy adopted by it on September 1, 1943, is hereby rescinded.

#### Appeals Procedure

§ 802.36 *Definitions.* The term "Board" refers to the National War Labor Board. The term "agent of the Board," unless the context clearly requires otherwise, includes Regional War Labor Boards, Industry Commissions of the National War Labor Board, the Wage Adjustment Board for the Building Construction Industry, or any other agency to which the National War Labor Board has delegated, or may hereafter delegate, authority to issue, subject to review by the National War Labor Board, (1) final rulings on voluntary applications for approval of wage or salary adjustments or (2) final directive orders in dispute cases.

§ 802.37 *Stay of order or ruling of an agent of the Board.*—(a) *Rulings in voluntary wage or salary cases.*—(1) *Effective date.* Rulings of an agent of the Board on a voluntary application for a wage or salary adjustment shall take effect when issued to the parties.

(2) *Stay of issuance to parties.* Rulings of an agent of the Board on a voluntary application for approval of a wage or salary adjustment may be issued to the parties when made, except that if any member of such agent who votes upon a ruling which is not unanimous requests that it be stayed, such ruling shall forthwith be transmitted by such agent to the Board and may be issued to the parties only upon expiration of ten days after its receipt in Washington, unless (i) the ruling is earlier approved by the Board or (ii) within such ten-day period the Board sets the case down for review. In the latter event the Executive Assistant to the Board shall notify the agent of the Board, and the issuance of the ruling to the parties shall be stayed until the case is finally disposed of.

(b) *Directive orders in dispute cases.* Agents of the Board shall issue their directive orders to the parties when made. If after the issuance of such an order no timely petition for review is filed (as provided in § 802.38, below) and



if the Board within such a period does not review the agent's order on its own motion, the order shall on the day following the last day for filing such a petition stand confirmed as the order of the Board and shall immediately be effective according to its terms; provided that the Board may at any time prior to the expiration of the time for the filing of a petition for review make such an order, or any part thereof, immediately effective pending any further proceedings. If a timely petition for review of a directive order of an agent of the Board is filed by a party, or if the Board reviews such an order on its own motion, the entire order shall be suspended, unless the Board directs, or has directed, otherwise, or unless the parties otherwise agree. However, the date of expiration of the escape period fixed in a directive order of an agent of the Board granting a maintenance of membership provision shall not be affected by the filing of a petition for review of this or any other provision of the order.

**§ 802.38 Petitions for review.** Within fourteen days after an agent of the Board issues a ruling denying or modifying a voluntary application for approval of a wage or salary adjustment, or issues a directive order in a dispute case, any party to the case may file with the Board at Washington, D. C., an original and four copies of a petition, including supporting documents, seeking review by the Board of such ruling or directive order. The petition shall (a) state the petitioner's reasons for believing that one or more of the criteria set forth below is satisfied, (b) set forth fully and in detail the contentions of the petitioner with respect to the merits of each issue raised by the petition, with specific references to any pertinent portions of the record in the case, and (c) state that a copy of the petition has been served upon the other parties to the case and upon the agent of the Board whose ruling or order is sought to be reviewed and the dates of each such service. No such petition shall be granted unless the petitioner has demonstrated by substantial proof that (1) the order exceeds the Board's jurisdiction, or (2) the order contravenes the established policies of the Board, or (3) a novel question is involved of such importance as to warrant national action, or (4) the procedure resulting in the order was unfair to the petitioner, and has caused substantial hardship. The party filing a petition shall at the same time serve a copy thereof, together with any supporting documents, upon each of the other parties to the proceeding and upon the appropriate agent of the Board.

**§ 802.39 The answer.** Any party desiring to file an answer must do so within fourteen days after receipt of the petition. An original and four copies of the answer shall be transmitted to the Board in Washington, D. C., and a copy shall at the same time be served upon the appropriate agent thereof and upon each of the other parties to the case. Such an answer shall include a statement that a copy thereof has been served as required above, and shall show the date of such service. An answer may not contain a

request for review of an order or any part thereof; such a request must be filed, if at all, in the form of a petition for review in the manner and within the time limit provided in § 802.38, above. Each answer should state fully but concisely the respondent's reasons for believing (1) that the petition ought not to be entertained, and (2) that, if the Board decides to entertain the petition, the petition should be denied on the merits.

**§ 802.40 Review by the Board on its own motion.** The Board may, on its own motion, assume jurisdiction over any case at any stage of the proceedings either before or after the issuance of the final order or ruling of an agent of the Board.

**§ 802.41 Processing by Appeals Committee of petitions for review.** (a) All petitions for review of a ruling or directive order of an agent of the Board shall, when filed with the Board, be referred to the Appeals Committee. If the Appeals Committee determines from a review of the petition and the answer, if any, (1) that it has not been demonstrated that any of the criteria enumerated in § 802.38, of this part, has been met, and that the petition should therefore be denied, or (2) that the petition has met one of these criteria and should therefore be entertained, or (3) that as to some issues the petition should be denied and as to others it should be entertained, the Committee shall make an appropriate recommendation to the Board. If the petition is denied, in whole or in part, the Board shall issue an appropriate directive order or ruling as provided in § 802.42 of this part. If the Board decides that the petition should be entertained in whole or in part, the Committee shall report to the Board as, soon as may be, its recommendations as to the merits. When the Committee considers the merits of any issue, it shall consider the petition, the answer, if any, the record made in the case before the agent of the Board, and the comments, if any, submitted by the Board's agent, together with any further information obtained by such investigation as to the Committee may, on its own motion, deem necessary. *Provided*, That information obtained as a result of such investigation shall not be used as the basis for its recommendations unless and until such information has been made available to the parties and they have had an adequate opportunity for rebuttal orally or in writing, as they may elect.

(b) If any members dissent from any recommendation by the majority of the Committee, they may indicate to the Board the grounds of their dissent.

**§ 802.42 Decisions of the Board; form of decision.** The Board will make its decision on a petition for review upon the basis of the record before the agent of the Board and on the basis of the petition, the answer, if any, the recommendations of the Appeals Committee and such further argument and proof as the Board may require. If the petition for review is denied because the grounds for review set forth therein are deemed to be insufficient, the Board shall issue an appropriate directive order or ruling adopting as its own the ruling or order

to which the petition relates. If the petition for review is granted, the Board will issue an appropriate directive order or ruling adopting, reversing or modifying the order or ruling to which the petition relates or remanding the case to the appropriate agent of the Board for such further action as is specified in the order of ruling of the Board.

**§ 802.43 Reconsideration of Board orders in appeals cases.** (a) When, pursuant to § 802.42, of this part, the Board has issued a directive order adopting as its own the order of its agent, the directive order shall be placed into effect immediately upon its issuance in accordance with its terms. In such cases, a petition for reconsideration of the Board's action will not be entertained.

(b) (1) When, pursuant to § 802.42, of this part, the Board has issued a directive order reversing or modifying the order of its agent, the order shall be placed into effect in accordance with its terms. A petition for reconsideration of any provision of the Board's order which effects a change in the order of the agent may be filed by any party with the Board within fourteen days from the date of issuance of the Board's order. Such petition, if filed, shall be in writing and shall be accompanied by four copies and additional copies thereof shall be served on the other parties to the case and upon the appropriate agent of the Board. The filing of such a petition shall not stay any provision of the Board's orders, unless the Board so directs.

(2) Such a petition for reconsideration shall:

(i) State reasons for believing that one or more of the criteria set forth in paragraph (b) (3), of this section, is satisfied;

(ii) Set forth fully and in detail the contentions of the petitioner with respect to the merits of each issue raised by the petition, with specific references to any pertinent portions of the record in the case; and

(iii) State the dates when copies of the petition were served upon the other parties to the case.

(3) No such petition shall be granted unless the petitioner has demonstrated by substantial proof that:

(i) The provision challenged by the petition contravenes the established policies, or exceeds the jurisdiction, of the Board; or,

(ii) The procedure resulting in the order was unfair to the petitioner and has caused substantial hardship.

(c) The petition shall be referred to the Appeals Committee, which shall examine the petition in the light of the entire record of the case and recommend to the Board whether the petition should be entertained. If the Board determines to entertain the petition, the case will be reconsidered in accordance with such procedure as the Board may direct.

(d) The Board's decision on the merits of a petition for reconsideration shall be made on the basis of the entire record in the case. Any directive order issued by the Board disposing of a petition for reconsideration shall be placed into effect immediately upon its issuance in accordance with its terms.



§ 802.44 *Effective date.* The foregoing provisions of §§ 802.36 to 802.43 shall apply to all directive orders and rulings which have been issued on and after December 1, 1943.

Adopted November 26 and 27, 1943.

L. K. GARRISON,  
Executive Director.

[F. R. Doc. 43-19817; Filed, December 13, 1943;  
9:57 a. m.]

## TITLE 30—MINERAL RESOURCES

### Chapter VI—Solid Fuels Administration for War

[Rev. Reg. 6, Amdt. 1]

#### PART 602—GENERAL ORDERS AND DIRECTIVES

##### RESTRICTIONS ON ANTHRACITE

Substantial losses in anthracite production and continuing increased demands for this fuel make it necessary to amend Solid Fuels Administration for War Revised Regulation No. 6 by imposing certain restrictions upon the total amount of anthracite which a retail dealer may deliver and a consumer may receive.

The Governor of the Commonwealth of Massachusetts has appointed an Emergency Solid Fuel Administrator to deal with solid fuel problems within the Commonwealth, and the Solid Fuels Administrator for War has approved a plan of cooperation with the Emergency Solid Fuel Administrator of the Commonwealth. It is therefore necessary to amend Revised Regulation No. 6 to implement that plan of cooperation and to permit other States to inaugurate similar plans of cooperation after approval of any such plans by the Solid Fuels Administrator for War.

Accordingly, pursuant to powers conferred by Executive Order No. 9332, Solid Fuels Administration for War Revised Regulation No. 6 is amended in the following respects:

1. Section 602.102 (f) is amended to read as follows:

(f) No consumer may receive and no dealer may deliver to a consumer any anthracite if and when the total amount of anthracite received by such consumer from all sources combined during the period September 1, 1943 to March 31, 1944, inclusive, plus the amount of usable solid fuel in the possession of the consumer on September 1, 1943, exceeds 87.5 percent of the annual requirements of such consumer.

2. Section 602.105 is amended by the insertion of a new paragraph (c), and the redesignation of the present paragraph (c) as paragraph (d).

(c) When the Solid Fuels Administrator for War has approved a plan of cooperation with any State Administrator of Solid Fuel and local representatives have been appointed by such State Solid Fuel Administrator, such local representatives of the State shall assume the functions of the local Office of Defense

Transportation Solid Fuel Advisory Committee as set forth in this section, except, however, that such local representatives of the State shall not arrange for any joint action plan as provided in paragraph (a) of this section.

3. Section 602.111 is amended by designating the existing provisions thereof as paragraph (a), and by the addition of another paragraph designated (b):

(b) When the Solid Fuels Administrator for War has approved a plan of cooperation with any State Administrator of Solid Fuel, and local representatives have been appointed by the State Solid Fuel Administrator, any consumer who is unable to secure a delivery of an adequate supply of anthracite, or other usable solid fuel, from a retail dealer, shall file a request for a supply of anthracite, or other usable solid fuel, with such local representative of the State, who will forward such request with appropriate recommendations to the State Solid Fuel Administrator for filing with the proper regional office of the Solid Fuels Administration for War.

This amendment shall become effective immediately.

(E.O. 9332, 8 F.R. 5355; E.O. 9125, 7 F.R. 2719; sec 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176)

Issued this 10th day of December, 1943.

C. J. POTTER,  
Deputy Solid Fuels  
Administrator for War.

[F. R. Doc. 43-19790; Filed, December 11, 1943;  
12:53 p. m.]

[Reg. 10, Amdt. 1]

#### PART 602—GENERAL ORDERS AND DIRECTIVES FILING OF ORDERS AND REPORTS

It is necessary to amend Solid Fuels Administration for War Regulation No. 10 (8 F.R. 15773) by requiring the filing of orders and reports at dates earlier than those at which filing has hitherto been required. The filing of these orders and reports on the later dates hitherto required by Regulation No. 10 has been found to impose an undue administrative burden. Accordingly, pursuant to the powers conferred by Executive Order No. 9332, Solid Fuels Administration for War Regulation No. 10 is hereby amended as follows:

1. Section 602.174 (a) (1) is amended to read as follows:

§ 602.174 *Restrictions on shipments to industrial consumers unless orders are submitted on time and contain certain information.* (a) \* \* \*

(1) The order has been received on or before the 24th day of the preceding calendar month, and

2. Section 602.175 (a) is amended to read as follows:

§ 602.175 *Reports by producers, commercial dock operators, and lake or tidewater forwarders.* (a) Each producer and commercial dock operator, lake or tidewater forwarder shall report, on or before the last day of each month pre-

ceding the calendar month of shipment, on forms to be supplied by the Solid Fuels Administration for War (with the cooperation of the Advisory Boards which have agreed to help effectuate the proper distribution of such documents) any information which has been furnished to him by industrial consumers or wholesalers pursuant to this regulation. Such reports as may be required from commercial dock operators, lake or tidewater forwarders shall be filed with the Solid Fuels Administration for War, Washington 25, D. C., and such reports as may be required from producers may be filed, at the address specified in Appendix A, annexed hereto and made a part hereof, with the Area Distribution Manager of the Solid Fuels Administration for War for the district in which the mine is located.

This amendment shall become effective immediately.

(E.O. 9332, 8 F.R. 5355, E.O. 9125, 7 F.R. 2719; sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176)

Issued this 10th day of December 1943.

C. J. POTTER,  
Deputy Solid Fuels  
Administrator for War.

[F. R. Doc. 43-19789; Filed, December 11, 1943;  
12:53 p. m.]

## TITLE 32—NATIONAL DEFENSE

### Chapter VI—Selective Service System

[No. 229]

#### INDIVIDUAL APPEAL RECORD

##### ORDER PRESCRIBING FORMS

Pursuant to the authority contained in the Selective Training and Service Act of 1940, as amended, I hereby prescribe the following change in DSS Forms:

Addition of a new form designated as DSS Form 68, entitled "Individual Appeal Record," effective immediately upon the filing hereof with the Division of the Federal Register.<sup>1</sup>

The foregoing addition shall become a part of the Selective Service Regulations effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,  
Director.

DECEMBER 10, 1943.

[F. R. Doc. 43-19800; Filed, December 11, 1943;  
4:15 p. m.]

[No. 230]

#### CLASSIFICATION NOTICE AND ADVICE

##### ORDER PRESCRIBING FORMS

Pursuant to the authority contained in the Selective Training and Service Act of 1940, as amended, I hereby prescribe the following changes in DSS Forms:

Revision of DSS Form 57, entitled "Notice of Classification," effective immediately upon

<sup>1</sup> Filed as part of the original document.



the filing hereof with the Division of the Federal Register.<sup>1</sup>

Revision of DSS Form 59, entitled "Classification Advice," effective immediately upon the filing hereof with the Division of the Federal Register.<sup>1</sup>

The supply of DSS Forms 57 and 59 on hand will be used until exhausted.

The foregoing revision shall become a part of the Selective Service Regulations effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,  
Director.

DECEMBER 10, 1943.

[F. R. Doc. 43-19801; Filed, December 11, 1943;  
4:15 p. m.]

[No. 231]

#### STATE MONTHLY REPORT OF INDUCTIONS AND REJECTIONS

##### ORDER PRESCRIBING FORMS

Pursuant to the authority contained in the Selective Training and Service Act of 1940, as amended, I hereby prescribe the following change in DSS Forms:

Revision of DSS Form 275, entitled "State Monthly Report of Inductions and Rejections," effective immediately upon the filing hereof with the Division of the Federal Register.<sup>1</sup> Upon receipt of the revised DSS Form 275, the use of the former supply of DSS Form 275 will be discontinued and all unused copies will be disposed of.

The foregoing revision shall become a part of the Selective Service Regulations effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,  
Director.

DECEMBER 10, 1943.

[F. R. Doc. 43-19802; Filed, December 11, 1943;  
4:15 p. m.]

[Amdt. 183, 2d Ed.]

#### PART 622—CLASSIFICATION

##### "FATHER" DEFINED

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service Regulations, Second Edition, are amended in the following respect:

1. Amend § 622.33 (7 F.R. 5343; 8 F.R. 1346, 3081, 7759, 12531) by adding a new paragraph to be known as paragraph (d) to read as follows:

§ 622.33 *Certain relatives defined.* \* \* \*

(d) The term "father" shall include only a person who was married prior to December 8, 1941, who has maintained a bona fide family relationship with his family since that date, and who has a child as defined in this section.

2. The foregoing amendment to the Selective Service Regulations shall be effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,  
Director.

DECEMBER 10, 1943.

[F. R. Doc. 43-19792; Filed, December 11, 1943;  
4:15 p. m.]

<sup>1</sup> Filed as part of the original document.

[Amdt. 189, 2d Ed.]

#### PART 631—QUOTAS AND CREDITS

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service Regulations, Second Edition, are amended in the following respect:

1. Amend the regulations by deleting Part 631 in its entirety.

2. The foregoing amendment to the Selective Service Regulations shall be effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,  
Director.

DECEMBER 10, 1943.

[F. R. Doc. 43-19793; Filed, December 11, 1943;  
4:15 p. m.]

[Amdt. 190, 2d Ed.]

#### PART 632—INDUCTION CALLS

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service Regulations, Second Edition, are amended in the following respect:

1. Amend § 632.1 to read as follows:

§ 632.1 *Induction calls by the Director of Selective Service.* When the Director of Selective Service receives from the Secretary of War or the Secretary of Navy a requisition for a number of specified men to be inducted, he shall, on the basis of the best inventory information available to him at the time of allocating calls, distribute the number of specified men requisitioned among the States so that (a) on a nation wide basis within the nation, specified men who are fathers as defined in § 622.33 (d) will be inducted after other specified men, and (b) each State will furnish its proportionate share of specified men who are fathers when fathers are needed to fill the call. He shall then issue a call on a Notice of Call on State (Form 12) to the State Director of Selective Service of each State concerned, sending two copies thereof to the Secretary who issued the requisition. The State Director of Selective Service, upon receiving such call, shall confer with the Corps Area Commander (or representative of the Navy or Marine Corps) for the purpose of determining the number of specified men to be delivered, in order to actually induct a net of the number of the specified men in such call, and arranging the details as to the times when and the places where such men will be delivered.

2. Amend § 632.2 to read as follows:

§ 632.2 *Induction calls by the State Director of Selective Service.* After conference with the Corps Area Commander (or representative of the Navy or Marine Corps), the State Director of Selective Service in accordance with instructions of the Director of Selective Service will issue calls to local boards so that (a) on a State-wide basis within the State, specified men who are fathers will be inducted after other specified men, and (b) each local board will furnish its proportionate share of specified men who are fathers when they are needed to fill the call. The calls to local boards shall be issued on the Notice of Call (Form 10),

filled out in quadruplicate. The State Director of Selective Service shall send the original of each Notice of Call (Form 10) to the local board concerned for its permanent file, a copy to the Corps Area Commander (or to the representative of the Navy or Marine Corps), a copy to the commanding officer of the induction station concerned, and shall file the remaining copy. Calls shall be numbered consecutively, without regard to the service for which the call is made. The calls shall be issued in sufficient time to permit the local boards to mail the Order to Report for Induction (Form 150) to the specified men within the time specified in § 633.1.

3. The foregoing amendments to the Selective Service Regulations shall be effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,  
Director.

DECEMBER 10, 1943.

[F. R. Doc. 43-19794; Filed, December 11, 1943;  
4:15 p. m.]

[Amdt. 191, 2d Ed.]

#### PART 622—CLASSIFICATION

##### CLASS III-A, "CHILD" DEFINED

Pursuant to the authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service Regulations, Second Edition, are amended in the following respect:

1. Amend § 622.31 to read as follows:

§ 622.31 *Class III-A: Formerly deferred by reason of maintaining bona fide family relationship.* (a) No registrant shall hereafter be placed in Class III-A.

(b) The classification of all registrants now in Class III-A shall be immediately reopened in sequence of order numbers and they shall be classified anew.

2. Amend paragraph (a) of § 622.33 to read as follows:

§ 622.33 *Certain relatives defined.* (a) The term "child" as used in these regulations means a legitimate child born prior to September 15, 1942, a stepchild, adopted child, foster child, or a person who is in the relationship of child to the registrant, who became such prior to December 8, 1941, who is less than eighteen years of age, or who by reason of mental or physical defects is incapable of self-support, who is unmarried, and with whom the registrant has maintained a bona fide family relationship in their home since December 7, 1941, or since the date of birth if such date of birth is later than December 7, 1941.

3. The foregoing amendments to the Selective Service Regulations shall be effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,  
Director.

DECEMBER 10, 1943.

[F. R. Doc. 43-19795; Filed, December 11, 1943;  
4:16 p. m.]



[Amdt. 192, 2d Ed.]

**PART 623—CLASSIFICATION PROCEDURE**  
**CLASSES NOT REQUIRING PHYSICAL**  
**EXAMINATION**

Pursuant to the authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service Regulations, Second Edition, are amended in the following respect:

1. Amend paragraph (c) of § 623.21 (7 F.R. 9682; 8 F.R. 77, 2833, 4755) to read as follows:

§ 623.21 *Consideration of classes not requiring physical examination.* \* \* \*

(c) If the registrant is not classified in Class I-C or Class IV-A under paragraph (a) of this section and is not classified in Class IV-C under paragraph (b) of this section, consideration shall next be given to the following classes in the order listed, and the registrant shall be classified in the first class for which grounds are established:

- Class IV-D.
- Class IV-B.
- Class III-C.
- Class II-C.
- Class II-B.
- Class II-A.

2. The foregoing amendment to the Selective Service Regulations shall be effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,  
*Director.*

DECEMBER 10, 1943.

[F. R. Doc. 43-19796; Filed, December 11, 1943;  
 4:16 p. m.]

[Amdt. 193, 2d Ed.]

**PART 603—SELECTIVE SERVICE OFFICERS**  
**JURISDICTION**

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service Regulations, Second Edition, are amended in the following respect:

1. Amend § 603.24 to read as follows:

§ 603.24 *Jurisdiction.* Each board of appeal shall have jurisdiction to review and to affirm or change any decision appealed to it from any local board in its area or any decision appealed from any local board not in its area when such appeal is either transferred to it in the manner provided in these regulations or is appealed to it by or on behalf of any registrant whose principal place of employment is located in its area or submitted to it in the manner required by law.

2. The foregoing amendment to the Selective Service Regulations shall be effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,  
*Director.*

DECEMBER 10, 1943.

[F. R. Doc. 43-19797; Filed, December 11, 1943;  
 4:16 p. m.]

[Amdt. 194, 2d Ed.]

**PART 627—APPEAL TO BOARD OF APPEAL**  
**MISCELLANEOUS AMENDMENTS**

Pursuant to the authority contained in the Selective Training and Service Act

of 1940, as amended, Selective Service Regulations, Second Edition, are amended in the following respect:

1. Amend paragraph (a) of § 627.1 to read as follows:

§ 627.1 *Who may appeal any determination of a local board to a board of appeal at any time.* (a) Either the Director of Selective Service or the State Director of Selective Service as to local boards in his State, may appeal from any determination of a local board.

2. Amend the regulations by adding a new section to be known as § 627.3 to read as follows:

§ 627.3 *Board of appeal review of certain Class II-A and Class II-B classifications.* The classification by a local board made subsequent to December 10, 1943, of a registrant into Class II-A or Class II-B whose principal place of employment is located outside the appeal board area in which the local board having jurisdiction over the registrant is located and in an area where boards of appeal are organized shall, within 10 days after the date on which such classification is made, be submitted for review and decision to the board of appeal having jurisdiction over the area in which is located the principal place of employment of the registrant.

3. Amend § 627.13 to read as follows:

§ 627.13 *Local board to prepare and forward file and DSS Form 66.* (a) The local board shall determine the principal place of employment, if any, of the registrant and the address thereof immediately upon (1) an appeal being taken to the board of appeal by a person entitled to appeal, or (2) the classification of the registrant in Class II-A or Class II-B whose principal place of employment is located outside the appeal board area in which the local board having jurisdiction over the registrant is located and in an area where boards of appeal are organized. The local board shall record the principal place of employment, if any, of the registrant and the address thereof on and otherwise complete the Individual Appeal Record (Form 66). The record made by the local board on the Individual Appeal Record (Form 66) of the principal place of employment of the registrant and the address thereof shall be final.

(b) Immediately upon completion of the actions required by paragraph (a) of this section, the local board shall attach the Individual Appeal Record (Form 66) to the inside of the registrant's Cover Sheet (Form 53) and shall carefully check the registrant's file to make certain that all steps required by the regulations have been taken and that the record is complete. If any facts considered by the local board do not appear in the written information in the file, the local board shall prepare and place in the file a written summary of such facts. In preparing such a summary, the local board should be careful to avoid the expression of any opinion concerning information in the registrant's file and should refrain from including any argument in support of its decision.

(c) The local board shall forward the file of a registrant who appeals or on

whose behalf an appeal is taken to the board of appeal under the provisions of § 627.1 or 627.2 or whose classification is submitted for review and decision to the board of appeal under the provisions of § 627.3 as follows:

(1) If the address of the principal place of employment of the registrant as recorded on the Individual Appeal Record (Form 66), and the local board which classified the registrant are located in the same State, the file shall be transmitted to the board of appeal in whose area the registrant's principal place of employment is located: *Provided*, That the State Director of Selective Service may direct the channels through which such file may be forwarded to the board of appeal.

(2) If the address of the principal place of employment of the registrant, as recorded on the Individual Appeal Record (Form 66), is located in an area in which boards of appeal are not organized or the registrant is unemployed, the file shall be transmitted to the board of appeal in whose area the local board which classified the registrant is located: *Provided*, That the State Director of Selective Service may direct the channels through which such file may be forwarded to the board of appeal.

(3) If the address of the principal place of employment of the registrant, as recorded on the Individual Appeal Record (Form 66), and the local board which classified the registrant are located in different States, the local board shall transmit the file to the State Director of Selective Service for its State. The State Director of Selective Service of the State in which is located the local board which classified the registrant shall transmit the file to the State Director of Selective Service for the State in which is located the principal place of employment of the registrant for transmission to the board of appeal whose area includes such place of employment. At the request of the State Directors of Selective Service affected, the procedure to transmit files to the board of appeal provided in this subparagraph may be changed in such manner as the Director of Selective Service may order.

(d) The local board shall enter in the Classification Record (Form 100) the date it transmits the registrant's file to the board of appeal or to the State Director of Selective Service, as the case may be.

4. Amend § 627.22 by deleting its present title and substituting therefor the following:

§ 627.22 *Action if board of appeal disqualified.* \* \* \*

5. Amend paragraph (a) of § 627.25 to read as follows:

§ 627.25 *Special provisions where appeal involves claim that registrant is a conscientious objector.* (a) If an appeal involves the question of whether or not a registrant is entitled to be sustained in his claim that he is a conscientious objector, the board of appeal shall take the following action:

(1) First determine whether the registrant should be classified in one of the classes set forth in § 623.21 in the order set forth except Class IV-F for physical



or mental disability and, if it so determines, it shall place the registrant in such class; or

(2) If it determines that the registrant should not be classified in one of the classes set forth in § 623.21 and the registrant has claimed classification in Class IV-E, determine whether to place the registrant in such class and, if it so determines, it shall place the registrant in Class IV-E; or

(3) If it determines that the registrant should not be classified in one of the classes set forth in § 623.21 and the registrant has not claimed classification in Class IV-E but has claimed classification in Class I-A-O, determine whether to place the registrant in such class and, if it so determines, it shall place the registrant in Class I-A-O; or

(4) If it determines not to place such registrant in one of the classes set forth in § 623.21 or in Class IV-E or in Class I-A-O under the circumstances set forth in subparagraphs (1), (2), or (3) above, it shall transmit the entire file to the United States Attorney for the judicial district in which is located the office of the board of appeal for the purpose of securing an advisory recommendation from the Department of Justice.

No registrant's file shall be forwarded to the United States Attorney by any board of appeal, and any file so forwarded shall be returned, unless in the "Minutes of Other Actions" on the Selective Service Questionnaire (Form 40) the record shows and the letter of transmittal states that the board of appeal reviewed the file and determined that the registrant should not be classified in one of the classes set forth in section 623.21 (except Class IV-F for physical or mental disability) or in Class IV-E or Class I-A-O under the circumstances set forth in subparagraphs (1), (2), or (3) above.

6. Amend paragraph (a) and add paragraph (c) to § 627.26 to read as follows:

**§ 627.26 Decision of board of appeal.**

(a) The board of appeal shall classify the registrant, giving consideration to each class in the order in which the local board gives consideration thereto when it classifies a registrant; provided that the board of appeal shall not give consideration to Class IV-F because of physical or mental disability.

(c) If the board of appeal deems it to be in the national interest and necessary to avoid undue disruption of war production or extreme hardship to the registrant or his dependents, it may, after classifying a registrant in Class I-A, Class I-A-O, or Class IV-E, recommend in writing that the State Director of Selective Service of the State in which is located the local board having jurisdiction over the registrant order such local board to delay, for a period not in excess of 3 months, the issuance of an Order to Report for Induction (Form 150) or an Order to Report for Work of National Importance (Form 50). Unless the State Director of Selective Service is aware of circumstances which, in his opinion, would justify his departing from the recommendation of the board of ap-

peal, the State Director of Selective Service will order the local board to delay the issuance of an Order to Report for Induction (Form 150) or an Order to Report for Work of National Importance (Form 50) until the expiration of the period recommended by the board of appeal not in excess of 3 months.

7. Amend § 627.27 to read as follows:

**§ 627.27 Record of decision on appeal and return of file.** (a) When the board of appeal makes its classification, it shall record its decision showing the yes and no vote upon the Individual Appeal Record (Form 66) and in the Docket Book of Board of Appeal (Form 102) and shall mark the case "Closed" in the "Remarks" column in the Docket Book of Board of Appeal (Form 102). All entries in the records of the board of appeal shall be made in red ink for those registrants whose cases have been appealed from a classification or determination of a local board which is not located in the board of appeal area.

(b) Immediately upon completion of the records, the following action shall be taken:

(1) The board of appeal shall return the file to the local board which classified the registrant if such local board and the board of appeal are in the same State, provided that the State Director of Selective Service may direct the channels through which such file shall be returned to such local board; or

(2) The board of appeal shall return the file to its State Director of Selective Service if the local board which classified the registrant and the board of appeal are in different States. The State Director of Selective Service of the State in which the board of appeal is located shall transmit the file to the State Director of Selective Service of the State in which is located the local board which classified the registrant for transmission to that local board. At the request of the State Directors of Selective Service affected, the procedure provided in this subparagraph may be changed in such manner as the Director of Selective Service may order.

8. Amend § 627.31 to read as follows:

**§ 627.31 Procedure of local board when appeal to the board of appeal is returned.** When the file of the registrant is received by the local board, it shall:

(a) Mail a Notice of Classification (Form 57) to the registrant. Also mail a Classification Advice (Form 59) to the government appeal agent and to every person whose signed Affidavit—Occupational Classification (Form 42), Affidavit—Occupational Classification (Form 42A), or Affidavit of Dependent Over 18 Years of Age (Form 40A) is on file in the registrant's Cover Sheet (Form 53), and to the person who made the appeal, if other than any of the foregoing.

(b) If one or more members of the board of appeal dissented from the determination of that board, indicate on such notice the numerical division of the board of appeal.

(c) Enter on the Classification Record (Form 100) the date of mailing such notice and advice.

(d) If the local board classification of the registrant has been changed by the board of appeal, enter the new classification in the Classification Record (Form 100) and, with red ink, draw a line through the local board classification.

(e) Post the name, order number, and classification of each registrant classified by the board of appeal in the office of the local board.

9. Amend paragraphs (b) and (c) of § 627.51 to read as follows:

**§ 627.51 Appeal may be made by registrant from local board's determination in agricultural cases.** \* \* \*

(b) Immediately upon such an appeal being filed, the local board shall forward the registrant's file, as provided in § 627.13.

(c) When the board of appeal receives the registrant's file, it shall give preference to such appeal, shall make a determination, and shall immediately return the file, as provided in § 627.27.

10. Amend the regulations by deleting § 627.71 in its entirety.

11. Amend the regulations by deleting § 627.72 in its entirety.

12. The foregoing amendments to the Selective Service Regulations shall be effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,  
Director.

DECEMBER 10, 1943.

[F. R. Doc. 43-19798; Filed, December 11, 1943; 4:16 p. m.]

**PART 628—APPEAL TO THE PRESIDENT**

[Amdt. 195, 2d Ed.]

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service Regulations, Second Edition, are amended in the following respect:

1. Amend § 628.1-1 to read as follows:

**§ 628.1-1 State Directors who may appeal to the President.** When a registrant's case has been reviewed by a board of appeal having jurisdiction over the principal place of employment of the registrant, and such board of appeal is in a different State from the local board of origin, either the State Director of Selective Service of the State in which the local board of origin is located or the State Director of Selective Service of the State in which the principal place of employment of the registrant is located may appeal to the President from the determination of the board of appeal if he deems it to be in the national interest or necessary to avoid an injustice.

2. The foregoing amendment to the Selective Service Regulations shall be effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,  
Director.

DECEMBER 10, 1943.

[F. R. Doc. 43-19799; Filed, December 11, 1943; 4:16 p. m.]



## Chapter IX—War Production Board

## Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666; 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

## PART 1010—SUSPENSION ORDERS

[Suspension Order S-448]

CHARLES FALCONE

Charles Falcone of Philadelphia, Pennsylvania, is the owner of the premises situated at 6445 Drexel Road, Philadelphia, Pennsylvania, and is also engaged in the contracting business. On July 1, 1943 he was granted authority by the War Production Board on Preference Rating Order P-55-b, Serial No. 99-034-00452-402D, to begin construction in connection with the remodeling of the aforesaid premises into two houses. The authorization granted to the respondent specified the kind and quality of materials which would be permitted, but the respondent, nevertheless, incorporated into the project substantial quantities of caulking lead, soil pipe, lead pipe, galvanized pipe and black pipe, gas pipe fittings, copper wire and electric outlets and switches which had not been approved, or were in excess of the quantities approved by the War Production Board. The incorporation of these materials into the construction constituted a wilful violation of Preference Rating Order P-55-b.

This violation of Preference Rating Order P-55-b has hampered and impeded the war effort of the United States by diverting critical materials to uses not authorized by the War Production Board. In view of the foregoing, *It is hereby ordered*, That:

## § 1010.448 Suspension Order No. S-448.

(a) Charles Falcone, his successors and assigns, shall not order, purchase, accept delivery of, withdraw from inventory, or in any other manner secure or use material, construction plant or equipment in order to continue or complete construction of the building located at 6445-47 Drexel Road, Philadelphia, Pennsylvania, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Charles Falcone from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board.

(c) This order shall take effect on December 10, 1943.

Issued this 3d day of December 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 43-19740; Filed, December 10, 1943;  
1:53 p. m.]

## PART 1010—SUSPENSION ORDERS

[Suspension Order S-453]

## EMPIRE TOOL AND ENGINEERING DIVISION

Samuel L. Benjamin and Clara Benjamin constitute a partnership doing business at 1776 Eastern Parkway, Brooklyn, New York, under the name of Empire Tool and Engineering Division. Their object in forming the partnership was to secure war and defense orders for precision grinding on machine parts. In an attempt to secure a preference rating to purchase machine tools for this business they filed, on or about March 5, 1943, a Form PD-1A with the War Production Board, and followed this with a letter dated March 12, 1943. Both of these papers contained false and misleading information, with respect to orders on hand and the preference ratings available to the partnership, and such statements were made wilfully with the intent of deceiving the War Production Board, and securing for the partnership priority assistance to which it was not entitled. In view of the foregoing, *It is hereby ordered*, That:

§ 1010.453 Suspension Order No. S-453. (a) Deliveries of material to Samuel L. Benjamin and Clara Benjamin, doing business as Empire Tool and Engineering Division, shall not be accorded priority over deliveries under any other contract or order and no preference rating shall be assigned, applied or extended to such deliveries by means of preference rating certificates, preference rating orders, general preference orders or any other orders or regulations of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(b) No allocation or allotment to Samuel L. Benjamin and Clara Benjamin, doing business as Empire Tool and Engineering Division, shall be made of any materials or products, the supply or distribution of which is governed by any order of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(c) Nothing contained in this order shall be deemed to relieve Samuel L. Benjamin and Clara Benjamin, doing business as Empire Tool and Engineering Division, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except in so far as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on December 10, 1943 and shall expire on March 10, 1944.

Issued 3d day of December 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 43-19741; Filed, December 10, 1943;  
1:54 p. m.]

## PART 1010—SUSPENSION ORDERS

[Suspension Order S-460]

## BUSCH BOX COMPANY

Busch Box Company, a Louisiana corporation, with its principal place of business at 2725 Poydras Street, New Orleans, Louisiana, is engaged in the business of manufacturing boxes and containers. Subsequent to June 30, 1942, the company purchased 56,647 pounds of metal strapping by extending an A-5 preference rating under Preference Rating Order P-79. Preference Rating Order P-79 had expired by its own terms on June 30, 1942, and these acts constituted an improper extension of ratings in violation of Priorities Regulation No. 1. The respondent knew, or because of its business dealings should have known the provisions of General Preference Order P-79 and Priorities Regulation No. 1, and respondent further knew that the only specific authority it had to use an A-5 rating for the purchase of metal strapping had expired March 31, 1942. These actions of the respondent must be deemed wilful violations of Priorities Regulation No. 1, and they have diverted scarce materials to uses not authorized by the War Production Board. In view of the foregoing, *It is hereby ordered* That:

## § 1010.460 Suspension Order No. S-460.

(a) Delivery of materials to Busch Box Company, its successors or assigns, shall not be accorded priority over deliveries under any other contract or order, and no preference rating shall be assigned, applied or extended to such deliveries by means of preference rating certificates, preference rating orders, general preference orders or any other orders or regulations of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(b) No allocation or allotment shall be made to Busch Box Company, its successors or assigns, of any material or product the supply or distribution of which is governed by any order of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(c) The provisions of this order shall not prevent Busch Box Company, its successors or assigns, from filling orders which bear a preference rating of AA-1 or higher.

(d) Nothing contained in this order shall be deemed to relieve Busch Box Company, its successors or assigns, from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board, except in so far as the same may be inconsistent with the provisions hereof.

(e) This order shall take effect on December 10, 1943, and shall expire on February 10, 1944.

Issued this 3d day of December 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 43-19742; Filed, December 10, 1943;  
1:54 p. m.]



**PART 3290—TEXTILE, CLOTHING AND LEATHER**

[Limitation Order L-251 as Amended  
Dec. 8, 1943]

## BRUSHES

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of bristles, rubber and of the various metals used in the manufacture of brushes for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3290.155<sup>1</sup> *Limitation Order L-251—*  
(a) *Issuance of schedules of simplification of brushes.* The War Production Board may from time to time issue schedules establishing simplified practices with respect to the manufacture, types, sizes, forms, or other specifications of brushes. From and after the effective date of any such schedule, no person shall commence the manufacture of any brushes affected except those that conform to the issued schedule and except as specifically permitted by such schedule.

(b) Applicability of regulations. This order, the schedules issued hereunder and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(c) *Applicability of other orders.* Insofar as any other order of the War Production Board, heretofore or hereafter issued, restricts the use of any material to a greater extent than the limitations imposed by this order or any schedule issued hereunder the restrictions of such other order shall govern, unless otherwise specified therein.

(d) Appeals. Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(e) *Communications.* All reports required to be filed hereunder and all communications concerning this order or any schedule issued hereunder shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing and Leather Division, Washington 25, D. C., Ref: L-251, Schedule —.

(f) **Violations.** Any person who willfully violates any provision of this order or any schedule issued hereunder, or who, in connection with this order or any such schedule, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under pri-

ority control and may be deprived of priorities assistance.

Issued this 8th day of December 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
*Recording Secretary.*

[F. R. Doc. 43-19578; Filed, December 8, 1943;  
10:49 a. m.]

PART 3290—TEXTILE, CLOTHING AND  
LEATHER<sup>1</sup>

[Limitation Order L-251, Schedule I as Amended Dec. 8, 1943]

PAINTERS', DECORATORS' AND CERTAIN  
INDUSTRIAL BRUSHES

§ 3290.156<sup>1</sup> *Schedule I to Limitation Order L-251—(a) Definitions.* For the purposes of this schedule:

(1) "Paint brush" means any brush having a ferrule and used in the painting, varnishing or decorating trade, including all types of brushes specified in the Ferrule List and all brushes of similar construction or use.

(2) "Ferrule" means the metal band by which the bristles of a paint brush are attached to the handle.

(b) *Limitations.* (1) No person shall commence the manufacture of any ferule:

(i) Of a size other than that specified in the Ferrule List with respect to each paint brush:

(ii) With an assembly containing an inner band, a bridge or a spout:

(iii) Which is seamless, except for a shipbottom, stencil, oval varnish or oval sashtool brush:

(iv) Which is embossed or stamped, except that the size of the brush and other markings may be applied if to do so will not require any special or additional operation for that purpose during the process of manufacturing the ferrule.

(2) No person shall commence the manufacture of any paint brush:

(i) Of a type other than that specified in the Ferrule List:

(ii) With a ferrule not conforming to the limitations provided in paragraph (b) (1):

(iii) With a handle finished in more than one color.

(c) [Deleted Dec. 8, 1943.]

(d) Records. Each person using or disposing of any ferrules or handles which do not conform to the limitations of paragraph (b), completely fabricated on or before February 11, 1943, shall retain in his files records showing his inventory of such parts as of February 11, 1943, and of his subsequent purchases or sales of such parts. Such records shall be kept readily available and open to audit and inspection by duly authorized representatives of the War Production Board.

Issued this 8th day of December 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
*Recording Secretary.*

## FERRULE LIST

[All dimensions are in inches. A maximum variation of  $\frac{1}{32}$  of an inch is allowed in width and thickness, both of which are referred to by inside dimensions. The Federal Specification numbers are to be used only as a means of identifying the type of brush.]

Type of brush	Identification No for ready reference	Federal Specifica- tion No.	Width of ferrule	Thickness of ferrule	Maximum depth of ferrule
Color-single thickness.	#1		1/2	1/4	1
			1 1/2	1/4	1 1/4
			2	1/4	1 1/2
			3	1/4	1 3/4
Fitch.	#2	EHB-241	3/4	1/4	1 1/4
			1 1/4	1/4	1 1/2
			2	1/4	1 3/4
			3	1/4	1 3/4
Flatting-wall master.	#3		1 1/4	1/4	2 1/4
			2 1/4	1/4	2 1/4
			3 1/4	1/4	2 1/4
Flatting-wall utility.	#4		1 1/4	1/4	1 1/4
			2 1/4	1/4	1 1/4
			3 1/4	1/4	1 1/4
Flowing fitch-single thickness.	#5	EHB-256	1 1/4	1/4	1 1/4
			2 1/4	1/4	1 1/4
			3 1/4	1/4	1 1/4
Ox hair and civet hair-flowing.	#6		1 1/4	1/4	1 1/4
			2 1/4	1/4	1 1/4
			3 1/4	1/4	1 1/4
Glue-flat.	#7	EHB-281	1 1/4	1/4	1 1/4
			2 1/4	1/4	1 1/4
			3 1/4	1/4	1 1/4
Glue-round.	#8	EHB-301	1 1/4	1/4	1 1/4
			2 1/4	1/4	1 1/4
			3 1/4	1/4	1 1/4
Kalsomine-Dutch.	#9		1 1/4	1/4	1 1/4
Kalsomine-flat.	#10	EHB-141	1 1/4	1/4	1 1/4
			2 1/4	1/4	1 1/4
			3 1/4	1/4	1 1/4
Mottling.	#11	EHB-391	1 1/4	1/4	1 1/4
			2 1/4	1/4	1 1/4
			3 1/4	1/4	1 1/4
Mucilage and paste.	#12	EHB-401	1 1/4	1/4	1 1/4
		Type 2.	2 1/4	1/4	1 1/4
			3 1/4	1/4	1 1/4
Painters' duster flat.	#13	EHB-211	1 1/4	1/4	1 1/4
Painters' duster round.	#14	EHB-216	1 1/4	1/4	1 1/4
Plasterers'.	#15		1 1/4	1/4	1 1/4
Radiator.	#16	EHB-451	1 1/4	1/4	1 1/4
			2 1/4	1/4	1 1/4
			3 1/4	1/4	1 1/4
Sashtool-flat.	#17		1 1/4	1/4	1 1/4
			2 1/4	1/4	1 1/4
			3 1/4	1/4	1 1/4
Sashtool-oval (seamless).	#18	EHB-491	1 1/4	1/4	1 1/4
			2 1/4	1/4	1 1/4
			3 1/4	1/4	1 1/4
Sashtool-oval (locked seam).	#19		1 1/4	1/4	1 1/4
			2 1/4	1/4	1 1/4
			3 1/4	1/4	1 1/4
Shipbottom, (seamless or soldered wire ferrule).	#20		1 1/4	1/4	1 1/4
			2 1/4	1/4	1 1/4
			3 1/4	1/4	1 1/4
Signwriters'.	#21		1 1/4	1/4	1 1/4
			2 1/4	1/4	1 1/4
			3 1/4	1/4	1 1/4
Smoothing paper hanger (2 rows).	#22		1 1/4	1/4	1 1/4
			2 1/4	1/4	1 1/4
Smoothing paper hanger (3 rows).	#23		1 1/4	1/4	1 1/4
			2 1/4	1/4	1 1/4
Stencil (seamless ferrule).	#24	EHB-621	1 1/4	1/4	1 1/4
			2 1/4	1/4	1 1/4
			3 1/4	1/4	1 1/4
Stucco-open center.	#25		1 1/4	1/4	1 1/4
			2 1/4	1/4	1 1/4
			3 1/4	1/4	1 1/4
Stucco-solid center.	#26		1 1/4	1/4	1 1/4
			2 1/4	1/4	1 1/4
			3 1/4	1/4	1 1/4



## FERRULE LIST—Continued

Type of brush	Identification No. for ready reference	Federal Specification No.	Width of ferrule	Thickness of ferrule	Maximum depth of ferrule
Varnish—flat—double.	#27	HB-701...	1 1/4	3/16	1 1/4
			1 1/2	3/16	1 1/4
			2	3/16	1 1/4
			2 1/2	5/16	1 1/4
			3	11/16	1 1/4
			4	1 1/16	1 1/4
Varnish-oval (seamless ferrule).	#28	EHB-711.	1 1/4	1/4	1
			1 1/2	1/4	1
			2 1/4	11/16	1
			2 3/4	11/16	1
Varnish-flat single.	#29	EHB-696.	1 1/4	1/4	1
			1 1/2	1/4	1
			2	5/16	1 1/4
			3	7/16	1 1/4
Varnish-flat single X.	#30	-----	1	5/16	1 1/4
			1 1/4	5/16	1 1/4
			1 1/2	7/16	1 1/4
			2	9/16	1 1/4
			3	1 1/16	1 1/4
Varnish-flat triple.	#31	EHB-706.	1 1/4	1/4	1 1/4
			2	3/4	1 1/4
			2 1/4	11/16	1 1/4
			3	7/8	1 1/4
			3 1/4	7/8	1 1/4
Wall-master A.	#32	HB-421.	3 1/4	1	1 1/4
			4	1	1 1/4
			4 1/4	1	1 1/4
			5	1	1 1/4
Wall-master B.	#33	HB-421.	3 1/4	1	1 1/4
			4	1	1 1/4
			4 1/4	1	1 1/4
			5	1	1 1/4
Wall—medium.	#34	HB-431.	3	7/8	1 1/4
			3 1/2	7/8	1 1/4
			4	7/8	1 1/4
			5	7/8	1 1/4
Wall—syndicate.	#35	-----	3	7/8	1 1/4
			3 1/2	7/8	1 1/4
			4	7/8	1 1/4
			6	7/8	1 1/4
Wall—utility.	#36	HB-436.	3	7/8	1 1/4
			3 1/2	7/8	1 1/4
			4	7/8	1 1/4
Whitewash.	#37	EHB-731.	7	1 1/4	1
			9	1 1/4	1

[F. R. Doc. 43-19743; Filed, December 8, 1943; 10:49 a. m.]

## PART 1111—RATIONING OF NEW COMMERCIAL MOTOR VEHICLES

[General Conservation Order M-100, Direction 1]

## MODIFICATIONS IN CERTIFICATES AND PERMITS

The following direction is hereby issued pursuant to General Conservation Order M-100.

A physical inventory of all new commercial motor vehicles in the possession of producers, dealers, distributors, jobbers and other sales agencies will be taken as of the close of business on December 31, 1943. A certain number of Certificates of Transfer (Forms PD-321, WPB-717 and WPB-717 revised) and Government Exemption Permits (Forms PD-322 and WPB-718) have been issued under Order M-100 and are outstanding. No certificates or permits will be issued between December 15, 1943 and December 31, 1943, except under special circumstances.

Certificates and permits issued prior to December 15, 1943, will be valid only if presented to the transferees on or before December 31, 1943, and the vehicles described therein transferred on or before that date.

All persons, whether producers, dealers, distributors, jobbers, other sales agencies or transferees having in their possession on January 1, 1944, certificates of permits issued prior to December 15, 1943 not so exercised,

must return them to the Automotive Division, War Production Board, Washington 25, D. C., for re-examination. Such certificates and permits will be valid after December 31, 1943 only if they have been revalidated by the War Production Board. The revalidation will be evidenced by the affixing of a special endorsement bearing the legend:

## REVALIDATED

Expires on \_\_\_\_\_ (date)

War Production Board

By \_\_\_\_\_  
Recording Secretary

On and after January 1, 1944, no person having in his possession a new commercial motor vehicle subject to Conservation Order M-100 will be authorized to transfer such vehicle on any Certificate of Transfer or Government Exemption Permit issued prior to December 15, 1943, unless it has been revalidated as described in the preceding paragraph.

On and after January 1, 1944 the period of validity for Certificates of Transfer and Government Exemption Permits will be specified on the face of the document. These documents will normally expire 60 days after the date they are issued but a longer period may be specified to cover exceptional production circumstances.

Issued this 11th day of December 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 43-19774; Filed, December 11, 1943; 11:38 a. m.]

## PART 3270—CONTAINERS

[Conservation Order M-81, Direction 1]

## CANS

The following direction is hereby issued pursuant to Conservation Order M-81 (§ 3270.31):

Wherever frozen tinplate is specified as a can material for packing a product in Order M-81, or wherever appeals have been or are granted for the use of frozen tinplate, packers may purchase, accept delivery of or use, and can manufacturers may make, sell, or deliver, cans made of tinplate waste-waste for packing such products.

Issued this 11th day of December 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 43-19775; Filed, December 11, 1943; 11:38 a. m.]

## PART 3290—TEXTILE, CLOTHING, AND LEATHER

[General Limitation Order L-85 as Amended Dec. 11, 1943]

## APPAREL FOR FEMININE WEAR

§ 3290.1 General Limitation Order L-85—(a) Applicability of regulations. This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board.

(b) Definitions. For the purpose of this order and its schedules:

(1) "Put into process" means the first cutting of cloth in the manufacture of any apparel for feminine wear.

(2) Unless otherwise specifically defined, all terms in this order and its schedules shall have their usual and customary trade meanings.

(c) General restrictions. (1) No person shall put into process or manufacture any apparel for feminine wear contrary to the restrictions in any schedule of this order.

(2) No person shall sell or deliver any apparel for feminine wear knowing the same to have been put into process or manufactured contrary to the restrictions in any schedule of this order.

(d) General exceptions. The provisions of this order and its schedules shall not apply to:

(1) Apparel for feminine wear made in the home and not for remuneration;

(2) The sale of apparel, for feminine wear by a person who acquired the same for her own personal use;

(3) The sale of second hand apparel for feminine wear;

(4) The alteration of any apparel for feminine wear to fit a specific individual consumer;

(5) Apparel for feminine wear for persons of heights of 5' 7 1/2" or over, of abnormal size, or with physical deformities, to the extent it is necessary to use in such apparel additional material for proportionate length, sweep or width;

(6) Bridal gowns;

(7) Burial gowns;

(8) Robes and vestments as required by the rules of religious orders and sects and the judiciary;

(9) Historical costumes for theatrical productions;

(10) Officially prescribed uniforms manufactured in accordance with the specifications of the applicable department or agency regulations for personnel of the United States Army, Navy, Marine Corps, Coast Guard, Maritime Commission, War Shipping Administration, and their auxiliaries, and cadet nurses of the Public Health Services;

(11) Apparel for feminine wear manufactured in foreign countries and received in customs in the United States prior to July 1, 1943.

(e) Equitable distribution. It is the policy of the War Production Board that the products described in this order or its schedules not required to fill rated orders shall be distributed equitably. In making such distribution due regard should be given to essential civilian needs, and there should be no discrimination in the acceptance or filling of orders as between persons who meet the seller's regularly established prices and terms of sale or payment. Under this policy every seller of such products, so far as practicable, should make available an equitable proportion of his merchandise to his customers periodically, without prejudice because of their size, location or relationship as affiliated outlets. It is not the intention to interfere with established channels and methods of distribution unless necessary to meet war or essential civilian needs. If voluntary observance of the policy outlined is inadequate to achieve equitable distribution, the War Production Board may issue spe-



cific directions to named concerns. A failure to comply with a specific direction shall be deemed a violation.

(f) *Reports.* Every person who, for himself or another, puts cloth into process or who has cloth put into process by another for his account, for the manufacture of a product referred to in this order or its schedules, shall execute and file form WPB-3272, setting forth the information as required therein. This paragraph does not require reports with respect to apparel for feminine wear made in the home and not for remuneration, or the alteration of any apparel for feminine wear to fit a specific individual consumer. This reporting requirement has been approved by the Bureau of the Budget under the Federal Reports Act of 1942.

NOTE: Paragraphs (g) through (i), formerly (f) through (h), redesignated Dec. 11, 1943.

(g) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(h) *Communications to the War Production Board.* All reports to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to War Production Board, Textile, Clothing and Leather Division, Washington 25, D. C., Ref. L-85.

(i) *Violations.* Any person who willfully violates any provision of this order, or who in connection with this order willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries or from processing or using material under priority control and may be deprived of priorities assistance by the War Production Board.

Issued this 11th day of December 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

#### INTERPRETATION 1

[Superseded by paragraph (b) (10) of L-85, as amended May 25, 1943.]

[F. R. Doc. 43-19776; Filed, December 11, 1943; 11:37 a. m.]

#### PART 3290—TEXTILE, CLOTHING, AND LEATHER

[General Limitation Order L-85, Schedule I as amended Dec. 11, 1943]

#### WOMEN'S, MISSES' AND JUNIOR MISSES' DRESSES

§ 3290.2 *Schedule I to General Limitation Order L-85—(a) Definitions.* For the purpose of this schedule:

- (1) When descriptive of sizes:
  - (i) "Misses'" means sizes 10-20;
  - (ii) "Junior misses'" means sizes 9-17;
  - (iii) "Women's regular" means sizes 36-52;
  - (iv) "Little women's" means sizes 14½-28½;

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(v) "Women's stout" means sizes 38½-52½;

(vi) "Women's odd" means sizes 35-51.

(2) "Evening dress" and "dinner dress" means a dress of floor or ankle length;

(3) "Suit dress" means an unlined two-piece outfit consisting of top and skirt, sold as one unit and commonly known to the trade as a two-piece dress. It shall be subject to all the regulations of this Schedule I governing dresses. However, if the top is lined, half lined, sleeve lined, partly or skeleton lined, it shall be deemed a suit and not a dress, and shall be subject to Schedule III governing suits;

(4) "Daytime dress" means any dress other than an evening or dinner dress;

(5) "Dress" includes an evening dress, dinner dress, suit dress, daytime dress, nurses' uniform, maid's uniform and maternity dress;

(6) "Body basic" means the front and back of the waist, the skirt, sleeves, inside shoulder pads, belt or sash, hem, an attached slip under a transparent fabric, normal facings, and 2" lap on an open front top;

(7) "Trimming allowance" means the material allowed to be used to trim a body basic;

(8) "French cuff" means a cuff over a cuff, or a double cuff;

(9) "French facing" means a facing extending to the armhole or beyond;

(10) "Culotte" means a garment with a divided skirt;

(11) "Measurements" means, unless otherwise specified, maximum finished measurements in inches after all manufacturing operations have been completed and the dress is ready for shipment, as follows:

(i) "Sweep" means the maximum circumference of a skirt at any point parallel to the floor;

(ii) "Hipline" means the line 9 inches below the waistline;

(iii) "Sleeve length" means the maximum measurement from the side of the neck over the shoulder to the bottom of the sleeve;

(iv) "Sleeve circumference" means the maximum measurement at the bottom of the sleeve, or at the part attached to the cuff;

(v) Measurements of the length of a daytime dress and of a top of a suit dress shall be made from the nape of the neck to the bottom of the finished garment;

(vi) Measurements of the length of a suit dress skirt shall be made from the highest point of the skirt to the bottom of the finished garment;

(vii) Measurements of the length of an evening or dinner dress shall be made from the center of the hollow of the neck to the bottom of the finished garment.

(b) *General exceptions.* The provisions of this schedule shall not apply to dresses, the cloth for which was put into process prior to:

(1) May 27, 1943, in the case of fall and winter dresses; and

(2) July 1, 1943, in the case of summer dresses: *Provided*, That the provisions of General Limitation Order L-85 as

amended July 10, 1942, shall apply to summer dresses until July 1, 1943.

(c) *General restrictions on processing, manufacture and sale of women's, misses', and junior misses' dresses.* (1) No person shall put into process, manufacture, sell or deliver any dress, including a jumper dress, with another garment or article at a unit price, except that the top and skirt of a suit dress may be sold as one unit at a unit price.

(2) No person shall put into process, manufacture, sell or deliver a dress with an attached hood, cape, fichu, vest, pants, handkerchief, or shawl.

(3) No person shall change any manufactured size marking to denote a different size or a different size range.

(d) *General restrictions applying to the processing of a dress.* (1) No person shall put into process any cloth for the manufacture of a dress with:

(i) French facings;

(ii) A belt or sash over 2" in width;

(iii) Bi-swing, vent, or Norfolk type backs;

(iv) Balloon, dolman or leg-of-mutton sleeves;

(v) Sleeve facing over 1½ inches;

(vi) Culottes;

(vii) A skirt with pleating, tucking or shirring, except when the sweep before pleating, tucking or shirring does not exceed the prescribed sweep of that particular size;

(viii) An open front or fly front skirt which does not conform when open to the measurements prescribed for that particular size;

(ix) French cuffs.

(x) Suspenders or attachments above the waistline of the skirt part of a suit dress.

(e) *General restrictions applying to the use of trimming allowance.* (1) No person shall put into process any cloth for trimming on a dress exceeding the following restrictions:

(i) Cuffs over 3" in width;

(ii) Cuffs with more than 2 buttons and buttonholes;

(iii) More than 1 ruffle on each sleeve;

(iv) A sleeve ruffle exceeding 3" in width;

(v) More than 1 collar or revers. (A single collar or revers of 2 thicknesses with an inside lining is permitted.);

(vi) A collar or ruffle over 5" wide;

(vii) More than 2 pockets, inside or out, or with any patch pocket exceeding 42 square inches of material before reduction;

(viii) More than 4 flaps over 18 square inches each;

(ix) Quilting in excess of 300 square inches;

(x) Pleating, tucking or shirring of any part or section above the waistline of a dress, increased by more than 10% of said part or section, except that the width of the complete front of a top of a dress may be increased by 8 inches of material.

*Provided*, That the use of cloth as allowed above shall be charged against the trimming allowance.

(f) *Body basic and trimming allowance.* (1) A dress shall consist only of cloth sufficient for the body basic and the trimming allowance. At any place



on the body basic where there is more than 1 thickness of material, except for the belt or sash, normal facings, inside shoulder pads, hem, an attached slip under a transparent fabric, and a 2" lap on an open front top, all of which are considered part of the body basic, the extra thickness shall be deemed trimming and shall be charged against the trimming allowance.

(2) The body basic shall be limited to (See Fig. 1):

(i) The complete front and back of the waist up to the neckline, including normal fullness. In the case of a suit dress, the waist or top shall not exceed 25 inches in length for a size 16, other sizes to be graded in normal proportions;

(ii) The skirt, with the limitations of hip, length, sweep, and hem, as provided in paragraph (g);

(iii) Short or full length sleeves, with the limitations of length and circumference as provided in paragraph (g), and the limitation of facings as provided in paragraph (d) (1) (v);

(iv) One belt or sash;

(v) Inside shoulder pads;

(vi) A 2" lap on an open front top;

(vii) Normal facings.

#### DAYTIME DRESSES

Type	Size	Skirt sweep other than wool & wool 9 oz. & under	Skirt sweep wool over 9 ounces	Basic body hip meas.	Dress length	Hem	Sleeve circum.	Sleeve length
Misses.....	16	72	64	56	43½	2	14	30
Jr. miss.....	15	72	64	56	42	2	14	30
Little wom. (short).....	20½	76	70	62	44½	2	15½	29
Women's reg.....	40	76	70	62	46	2	15½	31½
Women's stout.....	42½	78	72	64	47	2	16	32
Women's odd.....	41	80	74	64	47	2	16	31

(2) *Suit dresses.* The above maximum measurements relating to daytime dresses shall apply to suit dresses, in addition to which the following maximum measurements are also to be observed:

#### SUIT DRESSES

Type	Size	Top or waist length	Skirt lgth. including waist-band
Misses.....	16	25	28
Jr. miss.....	15	25	27½
Little wom. (short).....	20½	26½	27½
Women's reg.....	40	26½	29½
Women's stout.....	42½	26½	30½
Women's odd.....	41	26½	30½

(3) *Evening and dinner dresses.* (i) Sweeps on all sizes of evening and dinner dresses shall be limited, with respect to the following materials, to:

(a) 90 inches when made of crepes, crepe satins, and similar fabrics;

(b) 144 inches when made of taffeta, flat satins, and failles;

(c) 288 inches when made of transparent fabrics;

(d) 90 inches when made of any other material.

(viii) An attached slip under a transparent fabric.

(3) The trimming allowance shall be limited to:

(i) 700 square inches for nontransparent fabrics for all sizes if the hip measurement does not exceed the body basic hip measurement. However, if the hip measurement exceeds the allowable body basic hip measurement, and in no event may it exceed the allowable sweep, such trimming allowance shall be reduced to 525 square inches;

(ii) 1400 square inches for transparent fabrics for all sizes if the hip measurement does not exceed the body basic hip measurement. However, if the hip measurement exceeds the allowable body basic hip measurement, and in no event may it exceed the allowable sweep, such trimming allowance shall be reduced to 1050 square inches.

(g) *General restrictions on the measurements of dresses.* Maximum measurements for all sizes and ranges other than those specified below shall be graded in normal trade proportions.

(1) *Daytime dresses.* Daytime dresses shall be of and graded from the following maximum measurements:

is of the wrap-around type in which case it may have a maximum sweep of 94 inches;

(iii) A women's, size 40, may have a maximum sweep of 90 inches, unless it is of the wrap-around type in which case it may have a maximum sweep of 98 inches;

(iv) All sizes may be made 1 inch longer than lengths prescribed for daytime or suit dresses;

(v) The full trimming allowance may be used even when the hip measurement, which may in no case exceed the allowable sweep, exceeds the maximum hip measurements of the Body Basic.

(5) *Nurses' uniforms.* Nurses' uniforms shall be of and graded from the following maximum measurements:

#### NURSES' UNIFORMS

Type	Size	Length pre-shrunk	Length non-shrunk	Hems	Sweep
Misses.....	16	44½	47	3	72
Junior miss.....	15	43	45½	3	72
Women's.....	40	46	48½	3	76

(6) *Maids' uniforms.* Maids' uniforms shall be of and graded from the following maximum measurements:

#### MAIDS' UNIFORMS

Type	Size	Length pre-shrunk	Length non-shrunk	Hems	Sweep
Misses.....	16	43½	45½	2	60
Women's.....	40	45	47	2	66

(7) *Washable service apparel wrap-around dresses and Hoover aprons.* Washable service apparel wrap-around dresses and Hoover aprons shall be of and graded from the following maximum measurements:

#### WASHABLE SERVICE APPAREL

Type	Size	Length pre-shrunk	Length non-shrunk	Hem	Sweep
Misses'.....	16	43½	45½	3	78
Women's.....	40	45	47	3	84

(h) *Trimming records.* Every person who puts cloth into process for the manufacture of dresses shall make and retain, for not less than one year, a record of the number of square inches used for the trimming on each style of dress manufactured by him.

Issued this 11th day of December 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.



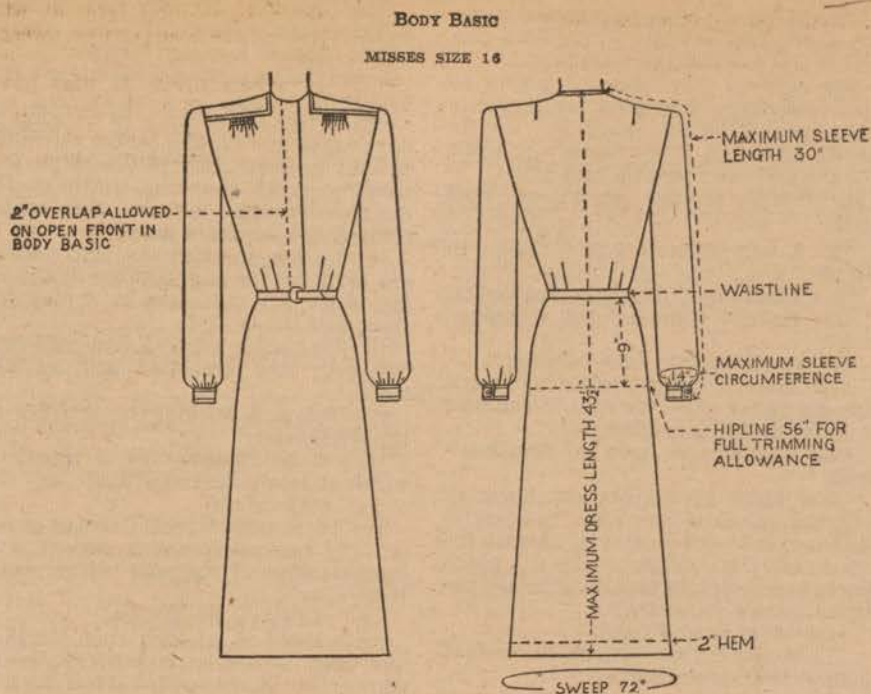


Figure 1

[F. R. Doc. 43-19777; Filed, December 11, 1943; 11:37 a. m.]

**PART 3290—APPAREL FOR FEMININE WEAR**  
[General Limitation Order L-85, Schedule II as amended Dec. 11, 1943]

**WOMEN'S, MISSES' AND JUNIOR MISSES' BLOUSES**

§ 3290.3 *Schedule II to General Limitation Order L-85—(a) Definitions.* For the purpose of this schedule:

(1) "Blouse" means the outer garment for feminine wear commonly worn with a separate skirt or under a jacket, and shall include all kinds of blouses and shirts;

(2) "French cuff" means a cuff over a cuff, or a double cuff;

(3) "French facing" means a facing extending to the armhole or beyond.

(b) *General exceptions.* The provisions of this schedule shall not apply to blouses, the cloth for which was put into process prior to:

(1) May 27, 1943, in the case of fall and winter blouses; and

(2) July 1, 1943, in the case of summer blouses, provided that the provisions of General Limitation Order L-85 as amended July 10, 1942, shall apply to summer blouses until July 1, 1943.

(c) *General restrictions on processing, manufacture and sale of women's, misses', and junior misses' blouses.* (1) No person shall put into process, manufacture, sell or deliver a blouse with another garment or article (except a slack) at a unit price.

(2) No person shall put into process, manufacture, sell or deliver a blouse with an attached vestee, dickey, gilet, hood, capelet or handkerchief.

(3) No person shall change any manufactured size marking to denote a different size or a different size range.

(d) *General restrictions applying to the processing of a blouse.* (1) No person shall put into process any cloth for the manufacture of a blouse with:

(i) French facings;

(ii) Double yoke, except on knitted fabrics;

(iii) Bi-swing, vent, or Norfolk-type backs;

(iv) Balloon, dolman, or leg-of-mutton sleeves;

(v) French cuffs;

(vi) Cuffs over 3 inches in width;

(vii) Cuffs with more than two buttons and buttonholes;

(viii) Sleeve facing over 1½ inches;

(ix) More than 1 ruffle on each sleeve;

(x) A sleeve ruffle exceeding 3 inches in width;

(xi) More than 1 collar or revers. (A single collar or revers of 2 thicknesses is permitted);

(xii) A collar or revers over 5 inches wide;

(xiii) Epaulets or tabs on the shoulders;

(xiv) More than 1 pocket, inside or out, or with any patch pocket exceeding 25 square inches of material before reduction;

(xv) More than 1 flap limited to 15 square inches of material before reduction;

(xvi) More than 2 separate trimming bows over 2 inches in width;

(xvii) Quilting in excess of 100 square inches.

(2) If a blouse is trimmed by any one of the following methods a combination of any such methods may not be used, and:

(i) If a blouse is ornamented by ruffles, frills, or a jabot, the entire trim-

ming consumed by such ruffles, frills, or jabot may use material not to exceed 320 square inches. In no case may more than 1 ruffle, frill, or jabot over 5 inches wide be used on either or both sides of the center front, and the fullness may not be over 3 to 1;

(ii) If a blouse is ornamented by tucking or pleating on the front of the blouse, the entire width of the front of the blouse may not be increased by more than 4 inches of material;

(iii) If a blouse is ornamented by tucking or pleating on the collar, the cuffs, or both, the entire extra material contained in the collar, the cuffs, or both may not be more than 92 square inches.

(3) A blouse shall be of and graded from the following measurements for a size 36, all other sizes and ranges to be graded in normal trade proportions:

(i) 23 inches maximum overall length, including turn-up for hem;

(ii) 19½ inches for the maximum underarm sleeve length;

(iii) 15 inches for the maximum measurements at the bottom of the sleeve, or at the part attached to the cuff.

(e) *Trimming records.* Every person who puts cloth into process for the manufacture of blouses shall make and retain, for not less than one year, a record of the number of square inches used for the trimming of each style of blouse manufactured by him.

Issued this 11th day of December 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 43-19778; Filed, December 11, 1943; 11:37 a. m.]

**PART 3290—TEXTILE, CLOTHING, AND LEATHER**

[General Limitation Order L-85, Schedule III as Amended Dec. 11, 1943]

**WOMEN'S, MISSES' AND JUNIOR MISSES' COATS, FUR COATS, TOPPERS, SUITS, JACKETS, SKIRTS, SLACKS, OVERALLS, COVERALLS, PLAY SUITS AND SHORTS**

§ 3290.4 *Schedule III to General Limitation Order L-85—(a) Definitions.* For the purpose of this schedule:

(1) "Coat" means any outer garment for feminine wear, usually worn over other outer apparel, including a cape, a raincoat, an evening coat, a reefer and a topper, but excluding a fur coat;

(2) "Fur coat" means an outer garment for feminine wear, usually worn over other outer apparel, and made of fur;

(3) [Deleted October 26, 1943]

(4) "Suit" means a garment consisting of a separate jacket and skirt of either matching or contrasting material, sold as one unit;

(5) "Jacket" means a coat shorter than 33 inches of the type usually worn with a skirt or slacks or over other apparel. (Note that paragraph (e) (2) specifies the maximum permitted length for a jacket);

(6) "Playsuit" means either a one-piece garment consisting of a top at-



tached to a pair of shorts, or a two-piece garment consisting of a separate top and a pair of shorts.

NOTE: Subparagraphs (7), through (11), formerly (6) through (10), redesignated Dec. 11, 1943.

(7) "Evening skirt" means a skirt of floor or ankle length;

(8) "French cuff" means a cuff over a cuff, or a double cuff;

(9) "French facing" means a facing extending to the armhole or beyond;

(10) "Culotte" means a garment with a divided skirt;

(11) "Measurements" means, unless otherwise specified, maximum finished measurements in inches after all manufacturing operations have been completed and the garment is ready for shipment, as follows:

(i) Measurements of the length of coats, toppers, reefers, and jackets shall be made from the nape of the neck to the bottom of the finished garment;

(ii) Measurements of the length of skirts shall be made from the highest point of the skirt to the bottom of the finished garment;

(iii) "Sweep" means the maximum circumference of a skirt at any point parallel to the floor;

(iv) "Sleeve length" means the maximum measurement from the side of the neck over the shoulder to the bottom of the sleeve;

(v) "Sleeve circumference" means the maximum measurement at the bottom of the sleeve, or at the part attached to the cuff.

(b) *General exceptions.* The provisions of this schedule shall not apply to any apparel for feminine wear referred to in this schedule, the cloth for which was put into process prior to:

(1) May 27, 1943, in the case of fall and winter apparel for feminine wear; and

(2) July 1, 1943, in the case of summer apparel for feminine wear, provided that the provisions of General Limitation Order L-85 as amended July 10, 1942, shall apply to summer apparel for feminine wear until July 1, 1943.

(c) *General restrictions on processing, manufacture and sale of all women's misses', junior misses' coats, suits, jackets, skirts, slacks, coveralls, overalls, play suits, shorts and fur coats.* (1) No person shall put into process, manufacture, sell or deliver an article of apparel for feminine wear covered by this Schedule with another garment or article at a unit price, except that:

(i) A jacket may be sold with a skirt, or with a slack, or with ski pants as a two-piece outfit at a unit price;

(ii) A skirt may be sold with a one-piece short playsuit at a unit price; and

(iii) A slack may be sold with a blouse at a unit price.

(2) No person shall put into process, manufacture, sell or deliver an article of apparel for feminine wear covered by this schedule with an attached hood, cape, capelet, fichu, vest, cap, pants, handkerchief, shawl or scarf.

(3) No person shall change any manufactured size marking to denote a different size or a different size range.

(d) *General restrictions applying to the processing of apparel for feminine wear covered by this schedule.* (1) No person shall put into process any cloth for the manufacture of a coat with:

(i) French facings, except of wool cloth;

(ii) A belt or sash over 2 inches in width;

(iii) Bi-swing or Norfolk-type backs;

(iv) Balloon, dolman or leg-of-mutton sleeves;

(v) Sleeve facings over 2 inches;

(vi) More than one collar or revers. (Single collar or revers of 2 thicknesses with inside lining permitted);

(vii) Epaulets or tabs on the shoulders;

(viii) More than 2 pockets, inside or out, except on a reversible raincoat in which case 2 pockets may be used on the inside and the outside, or with any patch pocket exceeding 64 square inches of material before reduction;

(ix) More than 4 flaps;

(x) Separate or attached vestees, dickeys, gilets, or scarfs.

(2) No person shall put into process any cloth for the lining of a fur coat:

(i) Exceeding a maximum sweep of 64 inches for a box coat or 74 inches for a fitted coat, for a size 16. The maximum measurements for sweep of other sizes shall be 2 inches more for each larger size and 2 inches less for each smaller size;

(ii) Exceeding a maximum length of 43 inches for a size 16. Other sizes shall be graded in normal trade proportions.

(3) No person shall put into process any cloth for the manufacture of a separate jacket or a jacket which is the top of a suit, a slack suit or a ski suit, with:

(i) French facings, except of wool cloth;

(ii) A belt or sash over 2 inches in width;

(iii) Bi-swing, vent, or Norfolk-type backs;

(iv) Balloon, dolman, or leg-of-mutton sleeves;

(v) Sleeve facings over 1½ inches;

(vi) More than 1 collar or revers. (Single collar or revers of 2 thicknesses with inside lining permitted);

(vii) A collar over 5 inches in width;

(viii) Epaulets or tabs on the shoulders;

(ix) More than 2 pockets, inside or out, or with any patch pocket exceeding 42 square inches of material before reduction;

(x) More than 4 flaps;

(xi) Separate or attached vestees, dickeys, gilets or scarfs;

(xii) Double breasted fronts;

(xiii) Quilting, except when used as a lining;

(xiv) Pleating, tucking or shirring of any part or section of a jacket which increases by more than 10% said part or section, except that the width of the complete front of a jacket may be increased by 8 inches of material.

(4) No person shall put into process any cloth for the manufacture of a separate skirt or a suit skirt or a play suit skirt, with:

(i) A separate or attached half belt, full belt, tab, simulated belt, or belt loops;

(ii) Pleating, tucking or shirring on the waistband;

(iii) A waistband over 3 inches in width at its maximum width;

(iv) Suspenders;

(v) More than 1 pocket, inside or out, or with any patch pocket exceeding 36 square inches of material before reduction;

(vi) A flap on the pocket;

(vii) Features making such skirts of the types known as culottes, reversible skirts, lined skirts, quilted skirts, or skating skirts;

(viii) Pleating, tucking, or shirring, except when the sweep before pleating, tucking or shirring does not exceed the prescribed sweep of that particular size.

(5) No person shall put into process any cloth for the manufacture of a slack, coverall, overall, short, play suit, or ski pants, with—

(i) A separate or attached half belt, full belt, simulated belt, tab, or belt loops except that a coverall may have a belt and belt loops;

(ii) Pleating, tucking or shirring on the waistband;

(iii) A waistband over 3 inches in width at its maximum width;

(iv) More than 2 pockets, inside or out, or with any patch pockets exceeding 36 square inches of material before reduction;

(v) Flaps on pockets;

(vi) A cuff;

(vii) A blouse or shirt top which exceeds the restrictions of Schedule II governing blouses.

(e) *General restrictions on the measurements of all apparel for feminine wear covered by this schedule.* Maximum measurements for all sizes and ranges other than those specified below shall be graded in normal trade proportions.

(1) *Coats.* Coats shall not be shorter than 33 inches for any size and shall be of and graded from the following maximum measurements:

COATS

Type	Size	Hems	Outside sleeve measurements	Sleeve circumf.	Sweep		Length	
					Fit	Box	Fit	Box
Misses'	16	2	30	16½	70	60	43	42
Jr. misses'	15	2	30	16½	70	60	41½	40½
Little women	20½	2	29½	16½	76	66	44	43
Women's reg	40	2	31½	16½	76	66	45½	44½
Women's stout	42½	2	32	16½	78	68	46½	45½
Women's odd	41	2	31½	16½	78	68	46½	45½



(2) *Jackets.* Separate jackets and jackets which are the tops of suits, slack suits, and ski suits shall be of and graded from the following maximum measurements:

JACKETS

Type	Size	Jacket length	Sleeve length	Sleeve circumference	Hems
Misses'.....	16	25	30	14	1 1/4
Jr. misses'.....	15	25	30	14	1 1/2
Little women.....	20 1/2	25 1/2	31 1/2	15 1/2	1 1/2
Women's reg.....	40	26 1/2	29	15 1/2	1 1/2
Women's stout.....	42 1/2	26 1/2	32	16	1 1/2
Women's odd.....	41	26 3/4	31	16	1 3/4

(3) *Separate skirts.* Separate skirts shall be of and graded from the following maximum measurements:

SEPARATE SKIRTS

Type	Size	Length incl. waistband	Hems	Sweeps	Wool sweeps over 9 oz.
Misses'.....	16	28	2	78	64
Jr. misses'.....	15	27	2	78	64
Women's reg.....	40	29 1/2	2	82	70

(4) *Suit skirts.* Suit skirts shall be of and graded from the following maximum measurements:

SUIT SKIRTS

Type	Size	Length incl. waistband	Hems	Sweeps	Wool sweeps over 9 oz.
Misses'.....	16	28	2	72	64
Jr. misses'.....	15	27	2	72	64
Women's reg.....	40	29 1/2	2	76	70

(5) *Evening and dinner skirts.* (i) Sweeps on all sizes of evening and dinner skirts shall be limited, with respect to the following materials, to:

(a) 90 inches when made of crepes, crepe satins, and similar fabrics;

(b) 144 inches when made of taffeta, flat satins, and failles;

(c) 288 inches when made of transparent fabrics;

(d) 90 inches when made of any other material.

(ii) Lengths for evening and dinner skirts shall not exceed:

(a) 45 1/2" for size 16, Misses' range;

(b) 44" for size 15, Junior Misses' range;

(c) 46" for size 40, Women's range.

(iii) No evening or dinner skirt may be made of wool cloth.

(iv) Any skirt shorter than ankle or floor length shall conform in all respects with the measurements prescribed for daytime and suit skirts.

(6) *Slacks, overalls and coveralls.* Slacks, overalls and coveralls from waist down shall be of and graded from the following maximum measurements:

SLACKS, OVERALLS AND COVERALLS

Type	Size	Bottom width	Length incl. waistband and turn-up at bottom
Misses'.....	16	19 1/4	45 1/2
Jr. misses'.....	15	19 1/2	44 1/2
Women's reg.....	40	22 1/2	46 1/2

(7) *Ski pants.* Ski pants shall be of and graded from the following maximum measurements:

SKI PANTS

Type	Size	Bottom width	Length including waistband and turn-up at bottom
Misses'.....	16	15	42 1/2
Jr. misses'.....	15	15	41 1/2
Women's reg.....	40	17	44 1/2

Issued this 11th day of December 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

## INTERPRETATION 1

[Superseded by the amendment of paragraphs (a) (5) and (e) (1) and the deletion of paragraph (a) (3) of Schedule III to L-85, as amended October 26, 1943]

[F. R. Doc. 43-19779; Filed, December 11, 1943; 11:37 a. m.]

## PART 3290—TEXTILE, CLOTHING, AND LEATHER

[General Limitation Order L-85, Schedule IV as Amended Dec. 11, 1943]

## FEMININE NECKWEAR

§ 3290.5 *Schedule IV to General Limitation Order L-85—(a) Definitions.* For the purpose of this schedule:

(1) "Vestee" or "gilet" means a sleeveless and backless front;

(2) "Dickey" means a sleeveless front and back;

(3) "Revers" means neckwear in the shape of a lapel;

(4) "Bib" means a loose front collar;

(5) "Item of neckwear" means any article for feminine wear, including the foregoing, commonly known to the trade as neckwear.

(b) *General exceptions.* The provisions of this schedule shall not apply to neckwear, the cloth for which was put into process prior to:

(1) May 27, 1943, in the case of fall and winter neckwear; and

(2) July 1, 1943, in the case of summer neckwear.

(c) *General restrictions on processing of feminine neckwear.* (1) No person shall put into process any cloth for the manufacture of feminine neckwear with:

(i) A cuff over 3 inches in width;

(ii) A cuff with more than 2 buttons and buttonholes;

(iii) French cuffs;

(iv) More than one collar or revers. (Single collar or revers of 2 thicknesses permitted);

(v) A collar over 5 inches wide;

(vi) More than 2 separate trimming bows;

(vii) All-over tucking or shirring;

(viii) Quilting in excess of 100 square inches;

(ix) Pleating, tucking or shirring which increases the front of a vestee, dickey or gilet by more than 4 inches of material: *Provided, however,* That if a front is so increased, no ruffle, jabot or frill may be used;

(x) More than 2 pin tucks on each side of the center front of a vestee, dickey or gilet when a jabot, frill or ruffle is also used;

(xi) More than 1 1/2 to 1 shirring on 1st and 2d width laces, or more than 2 to 1 on 3d and higher width laces.

(2) The following items of neckwear when made or sold as independent units shall not exceed the following restrictions:

(i) A jabot shall not consume more than 480 square inches of material;

(ii) Revers shall not be wider than 7 inches from the binding to the extreme edge, including trim;

(iii) A bib shall not be over 9 inches deep;

(iv) A collar of sheer material shall not contain more than 2 tiers of fabric, each tier not to exceed 5 inches in width.

(3) The following, when made or sold as an attachment to another item of neckwear, such as a vestee or gilet, shall not exceed the following restrictions:

(i) A jabot shall not contain more than 320 square inches of material;

(ii) A jabot shall not consist of more than 3 tiers, 5 inches wide;

(iii) Revers shall not be wider than 5 inches, including trim;

(iv) A frill or ruffle shall not be over 5 inches wide on either or both sides of the center front;

(v) A frill or ruffle shall not be made with fullness over 3 to 1.

(d) *Trimming records.* Every person who puts cloth into process for the manufacture of neckwear shall make and retain, for not less one year, a record of the number of square inches used for the trimming of each style of neckwear manufactured by him.

Issued this 11th day of December 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

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## PART 3290—TEXTILE, CLOTHING, AND LEATHER

[General Limitation Order L-85, Schedule V as Amended Dec. 11, 1943]

## CHILDREN'S APPAREL FOR OUTER WEAR

§ 3290.6 *Schedule V to General Limitation Order L-85—(a) Definitions.* For the purpose of this schedule:



(1) "Outerwear" means all apparel for children, excluding underwear and lounging wear;

(2) "Children's apparel" means outerwear of the following size ranges:

(i) Toddler's range 1 to 4 for both sexes;

(ii) Children's range 3 to 6x for both sexes;

(iii) Girl's range 7 to 14;

(iv) Teen age range 10 to 16;

(v) Chubbie range 7½ to 14½ and 10½ to 16½.

(3) "Children's" means all ranges from 1 to 16½;

(4) "Coat" means any outer garment for children usually worn over other outer apparel, including a cape, a raincoat, a reefer and a topper, but excluding a jacket;

(5) "Playsuit" means either a one-piece garment consisting of a top attached to a pair of shorts, or a two-piece garment consisting of a separate top and a pair of shorts.

(6) "Suit" means a garment consisting of a separate jacket and skirt of either matching or contrasting material, sold as one unit;

(7) "Jacket" means a coat shorter than 33 inches of the type usually worn with a skirt or slacks or over other apparel; (Note that paragraph (d) (2) (xvi) specifies the maximum permitted length for a jacket.)

(8) "Dress" includes a street dress, a suit dress and a party dress;

(9) "Street dress" means any dress other than a party dress;

(10) "Party dress" means a dress of floor or ankle length;

(11) "Suit dress" means an unlined two-piece outfit consisting of a top and skirt, sold as one unit and commonly known to the trade as a two-piece dress. It shall be subject to all the regulations of paragraph (d) (5) governing dresses. However, if the top is lined, half lined, sleeve lined, partly or skeleton lined, it shall be deemed a suit and not a dress and shall be subject to paragraphs (d) (2) and (d) (8) governing jackets and skirts.

(12) "Legging set" means a combination of coat and leggings or pants, of the type known as a double duty outfit;

(13) "Snow suit" or "ski suit" means a one-piece garment or a combination of a jacket and leggings or pants, made exclusively for outdoor wear;

(14) "French facing" means a facing extending to the armhole or beyond;

(15) "Culotte" means a garment with a divided skirt;

(16) "Measurements" means, unless otherwise specified, maximum finished measurements in inches after all manufacturing operations have been completed and the garment is ready for shipment, as follows:

(i) Measurement of the length of coats, toppers, dresses, and jackets shall be made from the nape of the neck to the bottom of the finished garment;

(ii) Measurements of the length of skirts shall be made from the highest point of the skirt to the bottom of the finished garment;

(iii) "Sweep" means the maximum circumference of a skirt or a dress at any point parallel to the floor.

(b) *General exceptions.* The provisions of this schedule shall not apply to children's apparel, the cloth for which was put into process prior to:

(1) May 27, 1943, in the case of fall and winter apparel; and

(2) July 1, 1943, in the case of summer apparel, provided that the provisions of General Limitation Order L-85 as amended July 10, 1942, shall apply to summer apparel until July 1, 1943.

(c) *General restrictions on processing, manufacture and sale of all children's apparel.* (1) No person shall put into process, manufacture, sell or deliver any children's apparel, including a jumper or pinafore, with another garment or article at a unit price, except in the case of the following garments which may be sold as one unit:

(i) A skirt and a top may be sold as a dress;

(ii) A jacket may be sold with a skirt, or with slacks, or with ski pants, as a suit;

(iii) A coat may be sold with one pair of leggings up to and including size 14;

(iv) A one-piece play suit may be sold with a skirt.

(2) No person shall put into process, manufacture, sell or deliver any children's apparel with an attached cape, muff, scarf, bag, hat, cap, capelet, handkerchief or hood, except that a collarless raincoat and a collarless mackinaw or ski jacket may be sold with a per-

manently attached hood up to and including size 14.

(3) No person shall change any manufactured size marking to denote a different size or a different size range.

(d) *General restrictions applying to the processing of children's apparel.* (1) No person shall put into process any cloth for the manufacture of a Coat, Cape, or Raincoat, with:

(i) Epaulets or tabs on the shoulders;

(ii) More than one collar or revers. (Single collar or revers of two thicknesses with inside lining permitted);

(iii) A collar over 5 inches wide;

(iv) More than 2 pockets, inside or out, except on a reversible raincoat in which case 2 pockets may be used on the inside and the outside, or with any patch pocket exceeding 36 square inches of material before reduction.

(v) More than 1 flap on each pocket;

(vi) More than 2 separate flaps for trimming use;

(vii) Balloon, dolman, or leg-of-mutton sleeves;

(viii) French facings, except of wool cloth;

(ix) Turn-back cuffs;

(x) A belt over 2 inches wide;

(xi) Bi-swing, vent, pleat, or Norfolk-type backs from the waist up;

(xii) Vestees, dickeys or gilets;

(xiii) Sleeve facings over 1½ inches;

(xiv) Bibs on leggings of leggings sets;

(xv) Measurements which are not of or graded from the following maximum measurements:

COATS, CAPES AND RAINCOATS

Type	Size	Length box coat	Sweep box coat	Length fitted	Sweep fitted	Hem	Sweep for coat sold with leggings
Toddlers'.....	4	19	46	-----	-----	2	48
Children's.....	6x	26	52½	-----	-----	2	54½
Girl's.....	14	36	53	36	63	2	64
Chubbie girl's.....	14½	36	60	36	70	2	-----
Teen age.....	16	40	59½	41	68	2	-----
Chubbie teen age.....	16½	40	63½	41	72	2	-----

Maximum measurements for all sizes other than those specified above shall be graded in normal trade proportions. Coats in girl's, chubbie girl's, teen age and chubbie teen age types shall not be shorter than 33 inches for any size.

(2) No person shall put into process any cloth for the manufacture of a separate jacket or a jacket which is the top of a suit, a slack suit, a snow suit, or a ski suit, with:

(i) A belt wider than 2 inches;

(ii) Balloon, dolman or leg-of-mutton sleeves;

(iii) Sleeve facings over 1½ inches;

(iv) A cuff on a sleeve;

(v) More than 1 collar or revers. (Single collar or revers of 2 thicknesses with inside lining permitted);

(vi) Collar or revers over 5 inches in width;

(vii) More than 2 pockets, inside or out, or with a patch pocket exceeding 36 square inches of material before reduction;

(viii) More than 1 flap on each pocket;

JACKETS

Range	Size	Jacket length	Snow & ski suit jacket length	Hems
Toddlers'.....	3	14½	15½	1½
Children's.....	6x	16½	18	1½
Girl's.....	14	20½	22	1½
Chubbie girl's.....	14½	20½	22	1½
Teen age.....	16	23½	23½	1½
Chubbie teen age.....	16½	23½	23½	1½



Maximum measurements for all sizes and ranges other than those specified above shall be graded in normal trade proportions.

(3) No person shall put into process any cloth for the manufacture of a separate skirt or a suit skirt or a play suit skirt, with:

(i) A separate or attached half belt, full belt, tab, simulated belt, or belt loops;

(ii) Pleating, tucking or shirring on the waistband;

(iii) Suspenders, except on sizes 1 to 3 and 3 to 6x. (If suspenders are used on the approved sizes the width must be limited to 1½ inches finished and no ruffles may be applied to the suspenders);

(iv) More than 1 pocket, inside or out, or with any patch pocket exceeding 25 square inches of material before reduction;

(v) A flap on the pocket;

(vi) A waistband over 2 inches in width at its maximum width;

(vii) Features making such skirts of the types known as culottes, reversible skirts, lined skirts, quilted skirts, or skating skirts;

(viii) Overall pleating, tucking or shirring, except when the sweep before pleating, tucking or shirring does not exceed the prescribed sweep of that particular size;

(ix) Measurements which are not of or graded from the following maximum measurements:

SKIRTS				
Range	Size	Sweep	Length including waistband	Hem
Toddlers'.....	3	48	11½	2
Children's.....	6x	56	16¾	2
Girls'.....	14	68	24	2
Chubbie girls'.....	14½	72	24	2
Teen age.....	16	75	26	2
Chubbie teen age.....	16½	78	26	2

Maximum measurements for all sizes other than those specified above shall be graded in normal trade proportions.

(4) No person shall put into process any cloth for the manufacture of a slack, coverall, overall, short, play suit, snow suit or ski pants, with:

(i) A separate or attached belt, half belt, simulated belt, tab, or belt loops, except that

(a) Slacks or shorts for male children may have a belt and belt loops if they do not have either suspenders, a bib or any button-on features; and

(b) A one-piece play suit and a one-piece snow suit may have a belt.

(ii) A waistband over 2 inches in width at its maximum width;

(iii) Pleating, tucking or shirring on the waistband;

(iv) More than 2 pockets, inside or out, or with any patch pocket exceeding 36 square inches of material before reduction;

(v) Flaps on the pockets;

(vi) Cuffs;

(vii) Suspenders, except on sizes 1 to 3 and 3 to 6x. (If suspenders are used on the approved sizes the width must be

limited to 1½ inches finished and no ruffles may be applied to the suspenders).

(viii) Measurements which are not of or graded from the following maximum measurements:

SLACKS, COVERALLS, OVERALLS, SHORTS, PLAY-SUITS, SNOW-SUITS AND SKI PANTS

Range	Size	Length ski pants	Max. length incl. turn-up, slacks & coveralls & overalls from waist down	Circumference at bottom
Toddlers'.....	3	27	22½	15
Children's.....	6x	33	28	16
Girls'.....	14	42	40	18
Teen age.....	16	44	42½	19

(5) No person shall put into process any cloth for the manufacture of children's dresses, with:

(i) Balloon, dolman or leg-of-mutton sleeves;

(ii) French facings;

(iii) A belt over 2 inches in width;

(iv) A sash over 3 inches in width;

(v) A bias cut sash;

(vi) Double yokes;

(vii) Bi-swing, vent, pleat, or Norfolk-type backs;

(viii) Epaulets or tabs on the shoulders;

(ix) More than 1 collar or revers. (Single collar or revers of 2 thicknesses permitted);

(x) A collar or revers over 5 inches in width;

(xi) More than 2 pockets, inside or out, or with any patch pocket exceeding 36 square inches of material before reduction;

(xii) More than 1 flap on each pocket;

(xiii) More than 2 separate flaps for trimming use;

(xiv) Cuffs over 2 inches in width;

(xv) More than 1 button or button-hole on a cuff;

(xvi) Sleeve facings over 1½ inches;

(xvii) Suspenders;

(xviii) Extra sleeves, attached or otherwise;

(xix) Vestees or gilets;

(xx) Quilting;

(xxi) More than 1 ruffle (not to exceed 2 inches in width) on a sleeve;

(xxii) Ruffles on skirt, except that ruffles may be used on or around skirt pockets;

(xxiii) A skirt pleated, tucked or shirred, except when the sweep before pleating, tucking or shirring does not exceed the prescribed sweep of that particular size;

(xxiv) Features making such dresses known as culottes and reversible dresses;

(xxv) More than two trimming bows;

(xxvi) Petticoat, apron, or overskirt;

(xxvii) A dickey collar except on a collarless dress. (The dickey collar shall be no longer than 15 inches from the center back of the neckline to the longest point in front for a size 16);

(xxviii) Measurements which are not of or graded from the following maximum measurements:

DRESSES								
Range	Size	Street length	Street sweep	Street hems	Party length	Party sweep	Party hem	Length top two-piece dress
Toddlers'.....	3	17½	48	3	-----	-----	-----	14½
Children's.....	6x	26	56	3	37	80	1	16½
Girls'.....	14	36	66	3	52	96	1	20½
Chubbie girls'.....	14½	36	72	3	52	96	1	20½
Teen age.....	16	41	72	2	57	120	1	23½
Teen age chubbie.....	16½	41	78	2	57	120	1	23½

Maximum measurements for all sizes other than those specified above shall be graded in normal trade proportions.

Issued this 11th day of December 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 43-19781; Filed, December 11, 1943;  
11:38 a. m.]

#### PART 937—ZINC

[General Preference Order M-11-1, as  
Amended Dec. 13, 1943]

Section 937.13 General Preference Order M-11-1 is hereby amended to read as follows:

§ 937.13 General Preference Order M-11-1—(a) Scope of this order. This order controls deliveries of zinc dust from a producer or dealer. No producer or dealer shall deliver zinc dust to any person, and no person shall accept delivery of zinc dust from any producer or dealer, except as provided in this order. The order does not relate to the use which

may be made of the zinc dust after it is received. The use of zinc dust in manufacture is controlled by Conservation Order M-11-b or, in the case of certain specific products, by other orders of the War Production Board relating to those products. These use restrictions must also be complied with.

(b) Definitions. For the purposes of this order:

(1) "Zinc dust" means all grades of zinc dust containing 93 per cent or more of metallic zinc and not more than 7 per cent of coarse particles retained on a 325 (44 micron) sieve, produced from ores, concentrates, metallic zinc, or from scrap, dross or other primary or secondary material.

(2) "Producer" means any person producing zinc dust and any person who has zinc dust produced for him under a toll agreement.

(3) "Toll agreement" means any agreement by which title to material remains vested in a person other than the one processing the material.

(4) "Dealer" means any person who regularly receives physical delivery of



zinc dust and sells or holds the same for resale without change in form.

(c) *Deliveries of zinc dust.* Producers and dealers may deliver zinc dust, and persons may accept delivery of zinc dust from a producer or dealer in the following cases only:

(1) Deliveries may be made and accepted without the necessity of obtaining any specific authorization from the War Production Board if (i) The delivery in question, combined with all other deliveries of zinc dust to the purchaser during that calendar month, from whatever source, will not aggregate more than five tons; (ii) The purchaser has not requested from the War Production Board authorization for that particular month to accept delivery of zinc dust in any quantity—see paragraph (c) (4) below—a request to the War Production Board shall be deemed a request within the meaning of this paragraph, regardless of whether it has been granted or denied; (iii) The inventory of the purchaser is not, and will not upon acceptance of the delivery become, in excess of a forty-five day supply on the basis of his current method and rate of operation; and (iv) The producer or dealer does not know, or have reason to believe, that the delivery will be in violation of the provisions of this paragraph (c) (1) or that the zinc dust delivered is to be used in violation of Conservation Order M-11-b or other applicable orders of the War Production Board.

(2) *Deliveries to Metals Reserve Company.* Deliveries may be made to and accepted by Metals Reserve Company for the sole purpose of stockpiling or redistribution.

(3) *Zinc dust for export.* Deliveries may be made to and accepted by a person for export without change in the form of the zinc dust provided the delivery is accepted pursuant to an export license from the Foreign Economic Administration.

(4) *WPB authorization.* Other deliveries may be made only on specific authorization of the War Production Board and in accordance with an authorization certificate issued by the War Production Board on Form WPB-2020. Authorization certificate will be issued on or about the first of each month for this purpose. An authorization certificate will authorize the holder to accept from a producer shipments of specified amounts of zinc dust during the month for which it is issued. The producer may ship on notification from the purchaser of the date and serial number of the authorization certificate. Any person wishing to apply for an authorization certificate should file an application on Form WPB-2020 (formerly PD-755) not later than the fifteenth day of the month preceding the month in which the authorization to purchase is desired.

(d) *Restriction on toll agreements.* Unless specifically authorized in writing by the War Production Board, no person shall produce any zinc dust under any existing or future toll agreement.

(e) *Special directions.* The War Production Board may, from time to time, issue special directions to any person as to the source, destination, or amounts

of zinc dust to be shipped and delivered by any producer or dealer or received by any person, and the War Production Board may also specifically direct the manner and quantities in which zinc dust may be processed.

(f) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(g) *Reports.* Each producer of zinc dust shall file monthly, on Form WPB-2021 (PD-758) a report of his production, shipments and inventory of zinc dust. All producers, dealers, and users of zinc dust shall file, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942, such other reports as the War Production Board may from time to time prescribe.

(h) *Communications.* All applications, statements or other communications filed pursuant to this order or concerning the subject matter hereof, should be addressed to: War Production Board, Zinc Division, WPB Dept. 7515, Washington 25, D. C., Ref.: M-11-1.

(i) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and, upon conviction, may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control, and may be deprived of priorities assistance.

(j) *Effective date.* This order, as amended, shall become effective January 1, 1944.

Issued this 13th day of December 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 43-19847; Filed, December 13, 1943;  
10:52 a. m.]

#### PART 1157—CONSTRUCTION MACHINERY AND EQUIPMENT

[Limitation Order L-192, Direction 1]

#### REPAIR PARTS FOR CERTAIN LEND-LEASE EQUIPMENT

The following direction is issued pursuant to Limitation Order L-192:

The Foreign Economic Administration, and any government agency acting as procurement agent for the Foreign Economic Administration in connection with the acquisition of used construction equipment to be exported for use in open cast coal mining, are hereby assigned a preference rating of AA-1 for repair parts needed to repair, rebuild or recondition such equipment and for spare parts to accompany such equipment. This rating may be applied by any such agency on any purchase order for repair or spare parts for such equipment or on any contract or order requiring the repair, rebuilding or reconditioning of such equipment, whether the work is to be performed by the seller of the equipment or by another person. This rating may be applied or extended in the manner provided in Priorities Regulation 3 or Priorities

Regulation 7. In addition to the certification applying or extending the rating, the identifying symbol "L-192—Direction 1" may be endorsed on any contract or order bearing this rating.

The restrictions on the sale and delivery of repair parts, as provided in paragraphs (j) (1) and (j) (2) of Order L-192, shall not apply to the sale or delivery of repair parts under this direction if the purchase or delivery order bears the identifying symbol "L-192—Direction 1".

All deliveries of repair and spare parts by producers, pursuant to this direction, shall be treated as deliveries to war agencies for the purpose of paragraph (j) (4) of Order L-192.

Issued this 13th day of December 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 43-19842; Filed, December 13, 1943;  
10:52 a. m.]

#### PART 3102—NATIONAL EMERGENCY SPECIFICATIONS FOR STEEL PRODUCTS

[Limitation Order L-211, Schedule 12, as  
Amended Dec. 13, 1943]

##### STEEL PRESSURE TUBES

§ 3102.13 *Schedule 12 to Limitation Order L-211—(a) Definitions.* For the purpose of this schedule:

(1) "Steel pressure tubes" means carbon and alloy steel and open-hearth and charcoal iron, boiler, superheater, still, heat exchanger, condenser, evaporator and similar tubes, except alloy steel tubes having a chromium content in excess of 10 percent.

(2) "Government order" means an order placed:

(i) By the Government of the United States or any department or agency thereof, or

(ii) By any other person covering material to be physically incorporated into material to be delivered to such government, department, or agency, or

(iii) By a warehouse which has been designated by such government, department, or agency as a source of supply for government orders, for delivery to a stock maintained for that purpose.

(b) *Restrictions on specifications—(1) Government orders.* No person shall produce, fabricate or deliver steel pressure tubes except to a specification set forth in List 1 or List 2 of this schedule.

(2) *Other orders.* No person shall produce, fabricate or deliver on any order other than a government order, steel pressure tubes except to a specification set forth in List 1 of this schedule.

(c) *Acceptance of delivery.* No person shall accept delivery of steel pressure tubes which he knows or has reason to believe were produced, fabricated or delivered in violation of the provisions of paragraph (b).

(d) *Exceptions.* The provisions of this schedule shall not prevent:

(1) Production, fabrication, delivery, or acceptance of steel pressure tubes for which an order was entered prior to August 30, 1943, provided shipment of



## LIST 1: SPECIFICATIONS PERMISSIBLE FOR GENERAL USE BOILER AND SUPERHEATER TUBES—Cont.

Seamless—Continued.	Designation and grade
Low-carbon steel (copper-bearing).....	ASME-S-17, Type A.
Low-carbon steel (killed).....	ASTM-A192-40.
Low-carbon steel (killed).....	ASME-S-40.
Medium-carbon steel (killed).....	ASTM-A210-40.
Medium-carbon steel (killed).....	ASME-S-49.
Carbon-molybdenum steel (0.40-55 Mo).....	ASTM-A209-42, Type T1.
Carbon-molybdenum steel (0.40-55 Mo).....	ASME-S-48, Type T1.
Carbon-molybdenum steel (0.40-55 Mo).....	ASTM-A209-42, Type T1a.
Carbon-molybdenum steel (0.40-55 Mo).....	ASME-S-48, Type T1a.
Carbon-molybdenum steel (0.40-55 Mo).....	ASTM-A209-42, Type T1b.
Carbon-molybdenum steel (0.40-55 Mo).....	ASME-S-48, Type T1b.
Chromium-molybdenum steel.....	ASTM-A213-42, Type T11.
(1.0-1.5 Cr., 40-55 Mo).....	ASME-S-52, Type T11.
Chromium-molybdenum steel.....	ASTM-A213-42, Type T22.
(2.0-2.5 Cr., 80-95 Mo).....	ASME-S-52, Type T22.
Chromium-molybdenum steel.....	ASTM-A213-42, Type T21.
(2.75-3.25 Cr., 80-95 Mo).....	ASME-S-52, Type T21.
Chromium-molybdenum steel.....	ASTM-213-42, Type T5.
(4.0-5.5 Cr., 40-55 Mo).....	ASME-S-53.
Chromium-molybdenum steel.....	ASTM-A213-42, Type T16.
(4.0-5.5 Cr., 40-55 Mo, 0.70 Ti Max).....	ASME-S-52, Type T16.
Chromium-molybdenum steel.....	ASTM-A213-42, Type T67.
(6.0-7.5 Cr., 0.40-55 Mo).....	ASME-S-52, Type T67.
Chromium-molybdenum steel.....	ASTM-A213-42, Type T69.
(8.0-9.5 Cr., 0.80-95 Mo).....	ASME-S-52, Type T69.

## HEAT EXCHANGER AND CONDENSER TUBES

Electric-resistance-welded:	Designation and grade
Low-carbon steel.....	ASTM-A214-42.

## Seamless:

Low-carbon steel.....	ASTM-A179-42.
Chromium-molybdenum steel (1.0-1.5 Cr., 40-55 Mo).....	ASTM-A199-40, Grade 1.
Chromium-molybdenum steel (2.0-2.5 Cr., 80-95 Mo).....	ASTM-A199-40, Grade 6.
Chromium-molybdenum steel (2.75-3.25 Cr., 80-95 Mo).....	ASTM-A199-40, Grade 5.
Chromium-molybdenum steel (4.0-5.5 Cr., 40-55 Mo).....	ASTM-A199-40, Grade 8.
Chromium-molybdenum steel (6.0-7.5 Cr., 40-55 Mo).....	ASTM-A199-40, Grade E7.
Chromium-molybdenum steel (8.0-9.5 Cr., 80-95 Mo).....	ASTM-A199-40, Grade E9.

## STILL TUBES

Seamless:	Designation and grade
Low-carbon steel (killed).....	ASTM-A161-40.
Carbon-molybdenum steel (40-55 Mo).....	ASTM-A161-40.
Chromium-molybdenum steel (1.0-1.5 Cr., 40-55 Mo).....	ASTM-A200-40, Grade 1.
Chromium-molybdenum steel (2.0-2.5 Cr., 80-95 Mo).....	ASTM-A200-40, Grade 6.
Chromium-molybdenum steel (2.75-3.25 Cr., 80-95 Mo).....	ASTM-A200-40, Grade 5.
Chromium-molybdenum steel (4.0-5.5 Cr., 40-55 Mo).....	ASTM-A200-40, Grade 8.
Chromium-molybdenum steel (6.0-7.5 Cr., 40-55 Mo).....	ASTM-A200-40, Grade E7.
Chromium-molybdenum steel (8.0-9.5 Cr., 80-95 Mo).....	ASTM-A200-40, Grade E9.

NOTE: The Coast Guard Specifications set forth in List 2 are applicable to List 1 where regulations require their use on vessels subject to inspection by the Bureau of Marine Inspection and Navigation.

War Production Board. In the case of alloy steel pressure tubes such permission may be granted with respect to chemical composition by the approval of a melting, production or delivery schedule.

(e) Records. Each person owning or possessing steel pressure tubes excepted by the provisions of paragraph (d) shall retain records of such material available for inspection by duly authorized representatives of the War Production Board. In addition, each person accepting an order for steel pressure tubes excepted by the provisions of paragraph (d) (5) shall furnish details of such order to the Steel Division, War Production Board, within ten days after such acceptance. The record-keeping and reporting requirements of this order have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942. Issued this 13th day of December 1943.

WAR PRODUCTION BOARD,

By J. JOSEPH WHELAN,

Recording Secretary.

## LIST 1: SPECIFICATIONS PERMISSIBLE FOR GENERAL USE BOILER AND SUPERHEATER TUBES

Lap-welded:	Designation and grade
Open-hearth iron.....	ASTM-A83-42, Type B.
Open-hearth iron.....	ASME-S-17, Type B.
Open-hearth iron (copper-molybdenum).....	ASTM-A83-42, Type B alternate.
Open-hearth iron (copper-molybdenum).....	ASME-S-17, Type B alternate.
Charcoal iron.....	ASTM-A83.
Charcoal iron.....	ASME-S-17.
Low-carbon steel.....	AAR-M-108-40.
Low-carbon steel.....	ASTM-A83-42, Type A.
Low-carbon steel.....	ASME-S-17, Type A.
Low-carbon steel.....	AAR-M-108-40.
Low-carbon steel (copper-bearing).....	ASTM-A83-42, Type A.
Low-carbon steel (copper-bearing).....	ASME-S-17, Type A.
Open-hearth iron.....	ASTM-A178-40, Type B.
Open-hearth iron.....	ASME-S-32, Type B.
Low-carbon steel.....	ASTM-A178-40, Type A.
Low-carbon steel.....	ASME-S-32, Type A.
Medium-carbon steel.....	AAR-M-108-40.
Medium-carbon steel.....	ASTM-A178-40, Type C.
Medium-carbon steel.....	ASME-S-32, Type C.
Low-carbon steel (killed).....	ASTM-A226-40.
Carbon-molybdenum steel (0.40-55 Mo).....	ASTM-A250-41T, Type T1.
Carbon-molybdenum steel (0.40-55 Mo).....	ASME-S-65, Type T1.
Carbon-molybdenum steel (0.40-55 Mo).....	ASTM-A250-41T, Type T1a.
Carbon-molybdenum steel (0.40-55 Mo).....	ASME-S-65, Type T1a.
Carbon-molybdenum steel (0.40-55 Mo).....	ASTM-A250-41T, Type T1b.
Carbon-molybdenum steel (0.40-55 Mo).....	ASME-S-65, Type T1b.
Seamless:	
Low-carbon steel.....	ASTM-A83-42, Type A.
Low-carbon steel.....	ASME-S-17, Type A.
Low-carbon steel.....	AAR-M-108-40.
Low-carbon steel (copper-bearing).....	ASTM-A83-42, Type A.

the entire order is made on or before December 31, 1943.

(2) Delivery or acceptance of steel pressure tubes which because of errors in manufacture do not conform to the requirements of this schedule, provided such requirements are waived by the purchaser or procuring agency.

(3) Waiver by the purchaser or procuring agency of any of the inspection and test requirements of any specification.

(4) [Revoked].

(5) Production, fabrication, delivery, or acceptance of steel pressure tubes when certified by the United States Army or Navy to the producer, fabricator, or supplier and to the Steel Division, War Production Board, as being necessary to insure the military characteristics of the item for which the steel pressure tubes are required. Such certification shall specify the contract involved and the justification for the exception.

(6) Production, fabrication, delivery, or acceptance of steel pressure tubes specifically permitted in writing by the



NOTE: Titles of permissible specifications of List 1 and effective amendments thereto are as follows:

American Society for Testing Materials  
Standard Specifications:

ASTM-A83-42—Lap-Welded and Seamless Steel and Lap-Welded Iron Boiler Tubes, as amended by Emergency Alternate Provision EA-A83, adopted August 18, 1942.

ASTM-A161-40—Seamless Low-Carbon and Carbon-Molybdenum Steel Still Tubes for Refinery Service, as amended by Emergency Alternate Provisions EA-A161 adopted August 18, 1942.

ASTM-A178-40—Electric-Resistance-Welded Steel and Open-Hearth Iron Boiler Tubes, as amended by Emergency Alternate Provision EA-A178 adopted August 18, 1942.

ASTM-A179-42—Seamless Cold-Drawn Low-Carbon Steel Heat-Exchanger and Condenser Tubes, as amended by Emergency Alternate Provision EA-A179 adopted August 18, 1942.

ASTM-A192-40—Seamless Steel Boiler Tubes for High-Pressure Service, as amended by Emergency Alternate Provision EA-A192 adopted August 18, 1942.

ASTM-A199-40—Seamless Cold Drawn Intermediate Alloy-Steel Heat Exchanger and Condenser Tubes, as amended by Emergency Alternate Provisions EA-A199 adopted August 18, 1942.

ASTM-A200-40—Seamless Intermediate Alloy-Steel Still Tubes for Refinery Service, as amended by Emergency Alternate Provisions EA-A200 adopted August 18, 1942.

ASTM-A209-42—Seamless Carbon-Molybdenum Alloy-Steel Boiler and Superheater Tubes, as amended by Emergency Alternate Provisions EA-A209 adopted August 18, 1942.

ASTM-A210-40—Medium-Carbon Seamless Steel Boiler and Superheater Tubes.

ASTM-A213-42—Seamless Alloy-Steel Boiler and Superheater Tubes, as amended by Emergency Alternate Provisions EA-A213 adopted August 24, 1942.

ASTM-A214-42—Electric-Resistance-Welded Steel Heat-Exchanger and Condenser Tubes, as amended by Emergency Alternate Provisions.

ASTM-A226-40—Electric-Resistance-Welded Steel Boiler and Superheater Tubes for High Pressure Service, as amended by Emergency Alternate Provisions EA-A226 adopted August 18, 1942.

ASTM-A250-41T—Electric-Resistance-Welded Carbon-Molybdenum Alloy-Steel Boiler and Superheater Tubes, as amended by Emergency Alternate Provisions EA-A250 adopted August 24, 1942.

Association of American Railroads Specifications:

AAR-M-108-40—Boiler Tubes, Lap-Welded, Electric Resistance Welded and Seamless Steel and Lap-Welded Charcoal Iron.

American Society of Mechanical Engineers Boiler Construction Code Material Specifications Edition 1940, as amended by Addenda thereto and Interpretations thereof (including Case No. 981) issued prior to the date of this Schedule.

ASME-S-17—Lap-Welded and Seamless Steel and Lap-Welded Iron Boiler Tubes.

ASME-S-32—Electric-Resistance-Welded Steel and Open-Hearth Iron Boiler Tubes.

ASME-S-40—Seamless Steel Boiler Tubes for High-Pressure Service.

ASME-S-48—Seamless Carbon-Molybdenum Alloy-Steel Boiler and Superheater Tubes.

ASME-S-49—Medium-Carbon Seamless Steel Boiler and Superheater Tubes.

ASME-S-52—Seamless Alloy-Steel Boiler and Superheater Tubes.

ASME-S-65—Electric-Resistance-Welded Carbon-Molybdenum Alloy-Steel Boiler and Superheater Tubes.

## LIST 2. SPECIFICATIONS PERMISSIBLE FOR GOVERNMENT USE ONLY

### STEEL PRESSURE TUBES

#### Boiler and Superheater Tubes

##### Lap-Welded:

Low-Carbon Steel.....	Navy 44T11, Grade A.
Low-Carbon Steel.....	Federal WW-T-731, Grade A.
Low-Carbon Steel.....	C. G., MIN-51.9, Grade A.
Open-Hearth Iron.....	Navy 44T11, Grade B.
Open-Hearth Iron.....	Federal WW-T-731, Grade B.
Open-Hearth Iron.....	C. G., MIN-51.9, Grade B.
Charcoal Iron.....	Federal WW-T-721.
Charcoal Iron.....	C. G., MIN-51.9.

##### Electric Resistance Welded:

Low Carbon Steel.....	Navy 44T11, Grade A.
Low-Carbon Steel.....	Federal WW-T-731, Grade A.
Low-Carbon Steel.....	C. G., MIN-51.9a, Grade A.
Medium-Carbon Steel.....	C. G., MIN-51.9a, Grade C.
Carbon Steel (Killed).....	Navy 44T42, Class a.
Carbon Steel (Silicon Killed).....	C. G., MIN-51.9a, Grade D.
Open-Hearth Iron.....	Navy 44T11, Grade B.
Open-Hearth Iron.....	Federal WW-T-731, Grade B.
Open-Hearth Iron.....	C. G., MIN-51.9a, Grade B.

##### Seamless:

Low-Carbon Steel.....	Navy 44T11, Grade A.
Low-Carbon Steel.....	Federal WW-T-731, Grade A.
Low-Carbon Steel.....	C. G., MIN-51.9, Grade A.
Carbon Steel (Killed).....	Navy 44T3, Class a.
Carbon Steel (Killed).....	C. G., MIN-51.10, High Pressure.
Medium-Carbon Steel (Killed).....	C. G., MIN-51.10, Medium-Carbon.
Open-Hearth Iron.....	Navy 44T11, Grade B.
Open-Hearth Iron.....	Federal WW-T-731, Grade B.
Carbon-Molybdenum (0.40-0.55Mo).....	C. G., MIN-51.10, Grade T1.
Carbon-Molybdenum (0.40-0.55Mo).....	C. G., MIN-51.10, Grade T1a.
Chromium-Molybdenum (4.0-5.50Cr, 0.40-0.60Mo).....	Navy 44T3, Class b.

NOTE: Titles of permissible specifications of List 2 are as follows:

Navy Dept. Specification 44T3—Tubes; Boiler, Seamless.  
Navy Dept. Specification 44T11—Tubes; Boiler, Steel, Commercial.  
Navy Dept. Specification 44T42—Tubes; Boiler, Resistance Welded.  
Federal Specification WW-T-721—Tubes; Boiler, Charcoal-Iron, Lap-Welded.  
Federal Specification WW-T-731—Tubes; Boiler, Steel.

Coast Guard Specification MIN-51.9—Lap-Welded and Seamless Steel and Lap-Welded Iron Boiler Tubes.

Coast Guard Specification MIN-51.9a—Electric-Resistance-Welded Steel and Open-Hearth Iron Boiler and Superheater Tubes.

Coast Guard Specification MIN-51.10—Seamless Steel Boiler Tubes for High-Pressure Service; Medium-Carbon Seamless Steel Boiler and Superheater Tubes; Carbon-Molybdenum Alloy-Steel Boiler and Superheater Tubes.

NOTE: The applicable issue of any of the specifications in List 2 above shall be the issue in effect on the date of the invitation to bid, or on the date of the purchase order or contract, or such subsequent issue acceptable to the producer as the procuring agency may substitute in the contract.

[F. R. Doc. 43-19843; Filed, December 13, 1943; 10:52 a. m.]

#### PART 3216—MATERIAL ENTERING INTO THE OPERATION OF TRANSPORTATION SYSTEMS

[Preference Rating Order P-142, Direction 1]

#### SPECIAL RESTRICTIONS ON AUTHORIZATIONS ON FORM WPB-2585

Because of critical shortages in the supply of malleable iron castings and other materials, the following direction to Order P-142 (§ 3216.1) is issued, effective until further notice:

Each operator who receives authorizations and preference ratings for delivery under

section E of Form WPB-2585, must restrict his use of them as follows:

(1) *Ferrous castings*, (Rolling stock items) Code 20. Malleable iron hand brake wheels may be acquired under this code for maintenance or repair purposes only, but not for the purpose of converting from the non-geared type to the geared type.

(2) *Brake mechanisms*, (Rolling stock items) Code 22. AB brakes, other than repair parts, may not be acquired under this code, but must be purchased under Code CA of section D.

(3) *Wheels and axles*, (Rolling stock items) Code 29. Steel wheels may not be acquired under this code, but must be purchased under Code 2056 of section C.

Issued this 13th day of December 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 43-19846; Filed, December 13, 1943; 10:52 a. m.]

#### PART 3284—BUILDING MATERIALS

[Limitation Order L-303]

##### STEEL INSECT SCREEN CLOTH

The fulfillment of requirements for the defense of the United States has created a shortage of materials, manpower and transportation for the manufacture and delivery of steel insect screen cloth for defense, for private account



and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3284.26 *General Limitation Order L-303*—(a) *Definitions*. For the purpose of this order:

(1) "Steel insect screen cloth" means a fabric of woven steel wire designed and constructed primarily for installation in an opening or passageway of a building or structure for the purpose of preventing the entrance of insects.

(2) "Producer" means a person who weaves steel insect screen cloth.

(3) "Dealer" means any person who buys steel insect screen cloth direct from a producer for sale in full rolls or cut lengths.

(4) "Screen manufacturer" means any person who buys steel insect screen cloth direct from a producer or dealer for the purpose of manufacturing window screens or screen doors.

(b) *Simplification and standardization*. (1) On and after December 28, 1943, no producer shall weave or fabricate any steel insect screen cloth except in conformity with the type, mesh, finish, diameter and widths established by Schedule I of this order.

(2) Notwithstanding the provisions of paragraph (b) (1) above, steel insect screen cloth may be woven or fabricated with a finer mesh or diameter wire than that specified in Schedule I if such cloth (or window screens or screen doors made therefrom) is required to fill an order for delivery (i) to or for the account of an agency or government named in § 944.1, paragraph (b) (1) or (b) (2) of Priorities Regulation 1, or (ii) under an export license issued by the Foreign Economic Administration.

(c) *Equitable distribution*. It is the policy of the War Production Board that steel screen cloth produced for essential civilian uses shall be distributed equitably. In making such distribution due regard should be given to essential civilian needs, and there should be no discrimination in the acceptance or filling of orders as between persons who meet the producer's regularly established prices and terms of sale or payment.

Under this policy every producer of steel screen cloth, as far as practicable, should make available an equitable proportion of his merchandise to his customers periodically without prejudice because of their size, location or relationship as affiliated outlets.

It is not the intention to interfere with established channels and methods of distribution unless necessary to meet war or essential civilian needs. If observance of the policy outlined is inadequate to achieve equitable distribution or supply essential civilian needs the War Production Board may issue specific directions to named concerns. A failure to comply with a specific direction will be deemed a violation.

(d) *Reports*. Fifteen days after December 13, 1943 and, thereafter, fifteen days before the beginning of each quarter (beginning April-June, 1944) each

producer of steel insect screen cloth shall file by letter a summary of his proposed shipping schedule covering dealers and screen manufacturers for that quarter. Each producer's shipping schedule shall show separately the aggregate quantity of screen cloth he proposes to ship to dealers and the aggregate quantity proposed for shipment to fill screen manufacturers' orders. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(e) *Violations*. Any person who willfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any person may be prohibited from making or obtaining further deliveries of, or from processing or

using, material under priority control and may be deprived of priorities assistance.

(f) *Appeals*. Any appeal from the provisions of this order shall be made by filing a letter in triplicate referring to the particular provision appealed from and stating fully the grounds for the appeal.

(g) *Applicability of regulations*. This order and all transactions affected by it are subject to all applicable regulations of the War Production Board as amended from time to time.

(h) *Routing of correspondence*. All communications concerning this order shall be addressed to the War Production Board, Building Materials Division, Washington 25, D. C. Ref: L-303.

Issued this 13th day of December 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

SCHEDULE I

Type wire	Mesh (per inch)	Finish	Diameter of wire <sup>1</sup>	Widths <sup>2</sup>
Low carbon Steel	12	Painted	.0110	24", 26", 28", 30", 32", 36", 42", 48"
	16	Painted or galvanized	.0110	24", 26", 28", 30", 32", 36", 42", 48"

<sup>1</sup> Two different sizes of warp and filler wires, approximately the same, having the average diameter of .0110 inch, shall be permitted. Permissible tolerance in wire diameter shall be .0005 inch.

<sup>2</sup> Non-conforming widths are permitted to fill an order or orders for a minimum production run of not less than 4000 linear feet of any one width.

[F. R. Doc. 43-19845; Filed, December 13, 1943; 10:52 a. m.]

#### PART 3285—LUMBER AND LUMBER PRODUCTS<sup>1</sup>

[Limitation Order L-285, as Amended Dec. 13, 1943]

##### DOGWOOD

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of dogwood for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3285.11<sup>1</sup> *Limitation Order L-285*—(a) *Definitions*. For the purposes of this order:

(1) "Dogwood" shall mean logs, cants, fitches and blocks of the several species of the genus *Cornus*.

(2) "Shuttle manufacturer" shall mean any person who processes dogwood solely for the use of the textile industry.

(3) "Shuttle block manufacturer" shall mean any person who produces 250 or more prime shuttle blocks out of each cord of 128 cubic feet of dogwood processed.

(b) *General limitations*. No person except a shuttle manufacturer or a shuttle block manufacturer shall buy or accept delivery of dogwood, except the restrictions of this order shall not apply to

(1) The waste or downfall resulting from the manufacture of textile shuttle blocks or textile shuttles;

<sup>1</sup> Formerly Part 3238, § 3238.1.

(2) Orders for less than 10 cubic feet;  
(3) Any dogwood actually in transit on April 13, 1943;

(4) Orders delivery on which is specifically authorized by the War Production Board on Form GA-146.

(5) Sales authorized by Priorities Regulation 13.

(c) *Restrictions on the production of laminated blocks*. No person shall deliver, accept delivery of, or use shuttle blocks to produce laminated textile shuttles if the blocks are of sizes or grades capable of producing either export or domestic whole shuttles.

NOTE: Paragraphs (c), (d), (e), (f) redesignated (d), (e), (f), (g) Dec. 13, 1943.

(d) *Applicability of priorities regulations*. This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(e) *Appeals*. Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provisions appealed from and stating fully the grounds of the appeal.

(f) *Communications*. All communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Lumber and Lumber Products Division, Washington 25, D. C. Ref: L-285.

(g) *Violations*. Any person who willfully violates any provision of this or-



der, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 13th day of December 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 43-19844; Filed, December 13, 1943;  
10:52 a. m.]

Subchapter C—Director, Office of War Utilities

#### PART 4501—COMMUNICATIONS

[Utilities Order U-2 as Amended Dec. 13, 1943]

#### GENERAL CONSERVATION ORDER FOR TELEPHONE INDUSTRY

§ 4501.1 *Utilities Order U-2*—(a) *Definitions.* (1) "Operator" means any individual, partnership, association, business trust, corporation, receiver, or any form of enterprise whatsoever, whether incorporated or not, the United States, the District of Columbia, any state or territory of the United States, any political, corporate, administrative or other division or agency thereof, to the extent engaged in rendering telephone communication service within, to, or from the United States, its territories or possessions.

(2) "Exchange line plant" means all that portion of an operator's local wire or cable distribution system which extends from the central office main frame, exclusive of poles, crossarms, insulators, and non-metallic conduit, and associated hardware and guys, and exclusive of drop and block wires.

(3) Without regard to accounting practices:

(i) "Maintenance" means the minimum upkeep necessary to continue a facility in sound working condition.

(ii) "Repair" means the restoration of a facility to sound working condition when the same has been rendered unsafe or unfit for service by wear and tear, damage, failure of parts or the like.

(iii) Neither maintenance nor repair shall include the improvement of any plant, facility or equipment, by replacing material which is still usable with material of a better kind, quality, or design.

(4) "Drop and block wire" means the portion of a customer's circuit (whether aerial or underground) extending from the inside wire (usually at the station protector or connecting block), or from the station equipment when no inside wire is involved, to the point of connection with the general overhead or underground system. This includes such circuit, carried by means of wire or small cables, extending to the cable terminal in cases where connection is made with a general cable system, or to the point of

connection with the aerial wire plant in cases where connection is made with a general wire system, and also includes brackets, bridle rings, insulators, knobs, span clamps, screws, sleeves, strand, tubes, and other material used in the installation of drop and block wires; and the pipes or other protective covering for underground service connections.

(5) "Station installations" means the wires (or small cables) from the station apparatus to the point near the entrance to the building where the drop or block wire or cable terminates, or to the junction boxes where the house cable or other cable terminates; the wires (or small cables) used to connect station apparatus in the same building, such as main stations with extension stations, and stations of intercommunicating systems; the wires (or small cables) used to connect private branch exchange switchboards or their distributing frames with terminal stations located in the same building; and the clamps, cleats, connecting blocks, ground wire, ground rods, nails, station protectors, screws, and other material used in the installation of station apparatus and inside wires. The cables referred to above are the small cables used in station installations instead of wires, such as those run from wall outlets or floor terminals to the station apparatus. Inside wires (or small cables) installed specifically to serve as trunk, battery, or generator circuits from a private branch exchange to the point of connection with the permanent house or outside cables or wires shall be considered as a part of the station installation. The term "station installations" does not include the telephone instrument or other "station apparatus."

(6) "Schedule A service" means service to the extent required for the proper discharge of duties in the direct defense, public health, welfare and security categories listed on Schedule A attached.

(7) "Interim service" includes all service installed or reconnected on and after April 15, 1943 which requires an allocation or assignment of exchange central office station terminal equipment or exchange line plant. It also includes any service installed prior to that date according to a contract specifying that the service was on an interim basis.

(b) *Conservation.* (1) Operators shall conserve scarce and critical materials by the employment of all practical methods.

(2) Operators shall discontinue the placing of open copper wire in exchange line plant.

(3) Operators shall discontinue the further installation of dial P. B. X. systems and dial private intercommunicating systems. This provision does not prevent the installation of systems of less than 100 lines where the equipment is already in the stock of the operator or can be obtained from the stock of another operator. Nor does it bar additions to dial systems. Nor does it bar moves for the same business service within the same exchange area, or to a contiguous exchange area of the same operator, so long as no addition to ex-

change central office equipment or exchange line plant is made except for Schedule A business service.

\* NOTE: Subparagraphs (c) (1), (c) (2) and (c) (3) redesignated (c) (2), (c) (3) and (c) (4) Dec. 13, 1943.

(c) *Availability of facilities for essential uses.* (1) Operators shall disconnect service when they learn that the present real user of service is not a user contemplated in the service agreement. Any such disconnections shall be considered "normal disconnections" within the meaning of paragraph (c) (2) below.

(2) Exchange line plant, exchange central office equipment, or telephone sets made available through normal disconnections shall be used to take care of current applications for Schedule A service, service authorized by the War Production Board because of unreasonable hardship and service essential to producers of substantial quantities of food, before other applications for service are cared for.

(3) Idle facilities may be reserved to the extent operators find necessary to meet promptly the known or fairly anticipated requirements for Schedule A service and to provide for essential public pay station service.

(4) To the extent necessary to meet minimum needs for Schedule A service and for essential public pay station service, operators shall make available additional exchange central office equipment or exchange line plant by regrading any service or disconnecting "interim service" under the following provisions:

(i) "Interim service" shall not be subject to disconnection so long as it continues to meet the requirements of Schedule A service, essential public pay station service, or service essential to the producers of substantial quantities of food.

(ii) Regrading is to be done only when current installations of central office equipment permit. Regrading of Schedule A service and of business service is to be done only if reggraded service meets minimum service needs.

(iii) In so far as practical these steps shall be taken in the following order. Regrading shall precede disconnection. Residence service shall be reggraded or disconnected before business service. Any reggrading or disconnection shall be in the reverse order of the dates of connection at the existing locations, that is, the most recent shall be reggraded or disconnected first.

(5) Subject to the provisions of (c) (4) (ii) and (c) (4) (iii) above, operators shall reggrade existing service to the extent necessary to provide service authorized by the War Production Board because of unreasonable hardship.

(d) *Limitations on additional telephones.* (1) Main stations. Operators shall limit the number of main telephone stations, including P. B. X. trunks, connected to any central office to 105% of the number the central office was designed to serve under pre-war engineer-



ing and operating practices. This provision has the following exclusions and exceptions:

(i) Main stations do not include extensions or P. B. X. stations.

(ii) If the number of main stations connected to a central office on March 25, 1943 exceeded the 105% limit, the number need not be reduced so long as service is satisfactory.

(iii) The 105% limitation need not be applied to a single-office exchange which is designed to serve less than 1,000 main stations.

(iv) The War Production Board may approve a percentage other than 105% for any central office.

(2) Residence extension service. Operators shall not install or reconnect residence extension telephones, residence extension bells or residence P. B. X. telephones, nor as a substitute provide additional main lines or stations on party lines, nor install jacks and plugs for residence service. This provision has the following exclusions and exceptions.

(i) Jacks already in place may be reconnected provided that no more than one telephone and one bell shall be furnished with the telephone line with which the jacks are associated.

(ii) Temporary installations of one residence extension may be made when the operator finds it essential in cases of serious illness.

(iii) For practicing physicians and surgeons, the following services may be provided, but the operator shall supply the minimum which will meet professional requirements. The operator may install two jacks and make the main station telephone a portable telephone, or, as an alternative, install one extension telephone or, as an alternative, install two jacks for use with a single portable extension telephone. The operator may also provide a connection with an answering bureau.

(iv) The installation and reconnection in residence quarters of telephones connected to private branch exchanges serving hotels, apartment houses, etc., may be made to the extent that no more than one such telephone may be provided in any residence quarters.

(e) Limitation on drop and block wire. Except when necessary to meet the needs for Schedule A business service or for essential public pay station service, operators shall limit the further installation of drop and block wire to the following lengths. In exchanges serving more than 1,000 main stations, aerial drop and block wire shall not exceed one pole-to-pole span along any pole line from the point of connection with existing plant. If this span is less than 75 feet, two pole-to-pole spans are permitted. In exchanges serving 1,000 main stations or less, drop and block wire shall not exceed two pole-to-pole spans. However, the drop wire may be extended beyond the limits specified to a messenger strand attachment in the next adjacent span and to a single pole outside the line, when this is necessary to provide clearance over a street or to clear a tree or other obstacle. An under-

ground drop and block wire shall not exceed 500 feet.

(f) Limitation on replacements. Operators shall not make replacements of equipment and facilities (other than poles, crossarms, insulators and non-metallic conduit, associated hardware and guys and station installations) unless essential for one of the following reasons:

(1) To maintain or protect existing service.

(2) To provide a permanent installation in lieu of one temporarily made to meet an exigency.

(3) To provide for decreased service demands or for the regrading provided for in paragraph (c).

(4) To make necessary replacements for supplying the residence extension service which is permitted for practicing physicians and surgeons in paragraph (d) (2) (iii) and for reconnecting jacks in paragraph (d) (2) (i).

(5) To effect a change in the "class" or "grade" of service, provided the change is not otherwise prohibited by this order. The "classes" of service involved are business, residence, semi-public, residence coin; the "grades" of service involved are individual, two-party, four-party, multi-party.

(6) To provide station wiring plans or key arrangements which conserve one or more telephones.

(g) Limitation on additions. Operators shall not add exchange central office equipment or exchange line plant unless essential for one of the following reasons:

(1) To maintain or protect existing service.

(2) To meet the known or fairly anticipated needs of Schedule A business service or to provide essential public pay station service where facilities cannot be made available through regrading or disconnection as provided in paragraph (c) above.

(3) To provide cable terminals required in existing exchange line plant to make available for immediate use facilities not otherwise usable for known demands. But additional terminals shall only be supplied where warranted by sound engineering practices.

(h) Non-applicability to certain replacements and additions. (1) The terms of this order shall not prohibit wire communications projects approved by the War Production Board on Forms WPB-617 (PD-200), WPB-2774 (UF-30), WPB-1696 (PD-685) or other appropriate form.

(2) Nor do they prohibit the completion of a project the physical installation of which was started at a time when the project was permitted by Order L-50 or an earlier issue of Order U-2.

(i) Producers of substantial quantities of food. Notwithstanding other provisions of this order, additions to the exchange open wire line plant and drop wire plant to provide service which is essential to the operations of a producer of substantial quantities of food may be made to the following extent. The addition must be limited to two spans of

insulated paired wire, including the pole-to-house span, and 100 pounds of steel or iron wire in the case of a grounded circuit or 200 pounds in the case of a metallic circuit for each qualified subscriber connected. The portions of the steel or iron wire classed as "exchange line plant" and "drop and block wire" shall not affect these limits. The addition may include poles, crossarms, hardware and other material used in the installation of open line wire and drop wire. An addition for a group of subscribers as a single project may be made under the terms of this paragraph if the aggregate amount of steel or iron wire required for the entire project divided by the number of qualified subscribers does not exceed the limit specified.

(j) Exemption of armed forces. The restrictions of paragraphs (b) (2), (b) (3) and (f) shall not apply to facilities for the official use of the armed forces.

(k) Engineering and planning. Except in respect to poles, crossarms, insulators and non-metallic conduit, and associated hardware and guys, all operators shall:

(1) Engineer all replacements or additions to exchange plant so as to limit the margins for expected growth of requirements of Schedule A business service and essential public pay station service, to one-half the period for which provision would be normally made, but in no event to exceed three years.

(2) Engineer all replacements or additions to toll plant so as to limit the margins for expected growth of service requirements to a period not in excess of one-half the period for which provision would be normally made, but in no event to exceed a period of three years: *Provided, however,* That this requirement shall not require the limitation of the margins of such growth to a period less than one year, and *provided, further,* that conductors in cables designed or suitable for use with carrier current systems may be provided (but not equipped) in such numbers that, when fully utilized by present or immediately contemplated carrier current system technique, they will provide for margins for expected growth of one-half the normal provision for such growth, even though such provision exceeds a three-year period.

(l) Reports. All operators affected by this order shall execute and file with the Office of War Utilities such reports as the Director, Office of War Utilities, shall from time to time require; subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(m) Records. Each operator affected by this order shall keep and preserve for not less than two years accurate and complete records concerning his use of steel or iron wire and number of main telephone stations connected under the provisions of paragraph (i) subject to the inspection of the duly authorized representatives of the War Production Board.

(n) Appeals. Any appeal from the provisions of this order shall be made by filing Form WPB-2117 (PD-761), giving all information required by said form.



(c) *Violations.* Any person who willfully violates any provision of the order or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control, and may be deprived of priorities assistance.

(p) *Communications.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: Communications Division, Office of War Utilities, War Production Board, Washington 25, D. C., Ref.: U-2.

(Sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727)

Issued this 13th day of December 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

**SCHEDULE A—CATEGORIES TO BE ACCORDED PREFERENCE IN OBTAINING SERVICE TO THE EXTENT REQUIRED FOR THE PROPER DISCHARGE OF DUTIES IN DIRECT DEFENSE, PUBLIC HEALTH, WELFARE AND SECURITY**

1. *Armed forces and government.* (a) Official Army, Navy, Marine Corps and Coast Guard Units. Office of Civilian Defense Units. (b) Official Federal, State, county, and municipal government services.

(c) Official agencies of foreign governments.

2. *War production and directly related activities.* (a) Business concerns furnishing material, equipment or facilities under prime or subcontracts to the Armed Forces of the United States (or their suppliers). Petroleum operators, for their oil or gas producing or drilling operations. The business offices of persons who regularly perform special services for these business concerns, such as consulting engineers, chemists, lawyers, and accountants. The business offices of persons rendering special service in connection with construction of defense projects authorized by the War Production Board, such as contractors, engineers, and architects. Labor unions having bona fide collective bargaining agreements with business concerns identified in this Schedule A.

(b) Public transportation, pipe line companies, all types of public utilities.

(c) Business concerns who regularly maintain or service equipment essential to the Armed Forces, war production, public transportation, public utilities, and pipe line companies.

3. *Public health and welfare.* (a) Public or private organizations directly serving the public safety, health or welfare, such as: hospitals, clinics, sanatoria; physicians, surgeons, dentists, nurses, nurses' registries, veterinarians, ambulance services, manufacturers or distributors (wholesale and retail) of drugs, surgical, medical, hospital or dental supplies or equipment; mortuaries, burial service organizations; the American Red Cross and similar agencies.

(b) Philanthropic and eleemosynary organizations recognized as such by the Bureau of Internal Revenue, including their fund-raising offices; United Service Organizations and other similar organizations; religious estab-

lishments and their officiating clergy; Christian Science Practitioners; public and private schools.

(c) Press associations, newspapers, radio broadcasting stations.

(d) The business or management offices of new housing developments.

(e) Food processing, food distribution (wholesale and retail) and food storage organizations.

[F. R. Doc. 43-19848; Filed, December 13, 1943; 10:52 a. m.]

**Chapter XI—Office of Price Administration**

**PART 1305—ADMINISTRATION**

[Supp. Order 79]

**FOOD AND DRINK SOLD ON NEW YEAR'S EVE, 1943**

Food and drink sold for immediate consumption on New Year's Eve, 1943, by eating and drinking establishments in areas now governed by regional and district restaurant maximum price regulations.

A statement of the reasons for this supplementary order has been issued simultaneously herewith and filed with the Division of the Federal Register.\*

For the reasons set forth in that statement and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328, it is hereby ordered, that:

§ 1305.214 *Maximum price or prices for special food items or meals sold on New Year's Eve 1943 by eating and drinking establishments located in areas for which restaurant maximum price regulations have been issued by regional or district offices of the Office of Price Administration.* (a) If you operate an eating or drinking establishment and your maximum prices are regulated by restaurant maximum price regulations issued by regional or district offices of the Office of Price Administration, your maximum price for special food items or meals on New Year's Eve, 1943, shall not exceed the highest price or prices at which you offered the same special food items or meals on New Year's Eve, 1942, in that establishment.

(b) If you were not open for business after 8 P. M. on New Year's Eve, 1942, your prices for New Year's Eve, 1943, cannot be higher than those charged by other establishments of the same class and type as your establishment.

\*Copies may be obtained from the Office of Price Administration.

(c) You must keep for inspection by the Office of Price Administration two copies of your menu and wine and liquor lists and a record of your costs of entertainment.

(d) *Relation to restaurant maximum price regulations issued by regional or district offices.* This supplementary order shall supersede any provisions or special provision in regional or district restaurant maximum price regulations for food items or meals sold on New Year's Eve, 1943.

(e) *Definitions.* The definition set forth in applicable maximum price regulations issued by regional and district offices of the Office of Price Administration shall apply to the terms used herein.

This supplementary order shall become effective December 10, 1943.

Issued this 10th day of December 1943.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 43-19745; Filed, December 10, 1943; 4:50 p. m.]

**PART 1340—FUEL**

[MPR 120, Amdt. 75]

**BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT**

A statement of the considerations involved in the issuance of this amendment issued simultaneously herewith has been filed with the Division of Federal Register.\*

Maximum Price Regulation No. 120 is amended in the following respect:

1. In § 1340.226 (b) (1) (i) (a), the final period is changed to a comma and the following is added:

and *Provided further*, That this paragraph (b) (1) (i) (a) and § 1340.210 (a) (1) of this regulation shall not apply to any underground mine.

2. In § 1340.226 (b), subparagraph (6) is revoked and subparagraph (5) is amended to read as follows:

(5) *Coals produced at underground mines—(i) Maximum prices in cents per net ton for coals produced at underground mines of the respective production groups for shipment to all destinations for all uses and by all methods of transportation, except as otherwise specifically provided in this subparagraph (5).*

\* 8 F.R. 14560, 15256, 15455.

Prod. group No.	Prices and size group numbers														
	1, 2, 3	4	5	6	7	8	9	10	11	12	13	14	15		
1.....	385	385	360	345	330	335	345	320	295	280	200	160			
2.....	400	400	375	360	345	340	360	335	335	320	300	185			
3.....	370	370	355	345	335	325	350	320	325	310	310	250	185		
4.....	450	450	440	420	410	385	450	370	385	370	290	200			
5.....	450	450	440	420	410	385	450	370	385	370	290	200			
6.....	500	500					500	490	490	490					
7.....	610	500		510		335	420	290				265			
8, 9.....	560	510		460		335	420	290				265			
10—Rail.....	440	395		350		260	315	240	250			195			
10—Truck.....	460	415		370		280	335	260	270			215			
11.....	530	500		470		360	420	340	350			315			
13.....	500	500					500	490	490	490					
Exceptions:															
Mine Index No. 24.....	425	425	410	400	390	380	405	375	380	365	365	305	240		
Mine Index No. 48.....	465	465	455	435	425	400	465	385	400	385		305	215		
Mine Index No. 447.....	490	490	385	375	365	355	380	350	355	340	340	280	215		



## (ii) Maximum prices in cents per net ton for railroad locomotive fuel.

	Prices and production group numbers							
	1	2	3	4,5	6	7,8,9	10	11
Railroad locomotive fuel (applicable to any size coal)	320	345	335	400	365	320	315	395

(iii) Maximum prices in cents per net ton for Oklahoma smelting coal from Production Group No. 12 to all destinations and by all methods of transportation.

Crushed mine run—Bulk	645
Crushed mine run—Sacked	795
Lump—Over 2½"	695

Any producer whose prices are increased by this amendment and who starts to charge the increased prices must immediately notify the Solid Fuels Branch, Office of Price Administration, Washington 25, D. C. stating the name of the operator of the mine for which the prices are increased, the name of the mine, the mine index number, the production group number in which it is located and whether it is an underground mine within the meaning of § 1340.208 (a) (8) of this regulation. Such producer shall also include a statement on all invoices in connection with the sale of coal priced under this order that the price charged includes an adjustment granted under Amendment No. 75 to Maximum Price Regulation No. 120.

This amendment shall become effective December 10, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 10th day of December 1943.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 43-19746; Filed, December 10, 1943; 4:50 p. m.]

## PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16, Amdt. 27 to Supp. 1]

## MEAT, FATS, FISH AND CHEESES

The Official Tables of Point Values referred to § 1407.3027 (a) are amended as follows:

1. On the Official Table of Consumer Point Values for Meat, Fats, Fish, and Dairy Products:

a. The parenthetical phrase under "Creamed Cottage cheese" under "Cheeses—Group II" under the classification "Fats, Oils, and Dairy Products" is amended to read as follows: "(Containing more than 5 per cent butterfat)."

b. The definition of rationed cheeses contained in the box under the Table

of Point Values for Pre-packaged Cheese and Canned Milk, is amended by inserting "Creamed Cottage cheese containing 5 per cent or less butterfat," in the second sentence between the words "cottage cheese," and "whey products".

2. On the Official Table of Trade Point Values for Meat, Fats, Fish, and Dairy Products, the parenthetical phrase following "Creamed Cottage cheese" under "Cheeses—Group II" under "Section C—Fats, Oils, and Dairy Products", is amended to read as follows: "(Containing more than 5 per cent butterfat)."

This amendment shall become effective at 12:01 a. m., December 9, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. 1, 7 F.R. 562; and Supp. Dir. 1-M, 7 F.R. 8234; Food Dir. 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 9th day of December 1943.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 43-19717; Filed, December 10, 1943; 11:58 a. m.]

## PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16, Amdt. 90]

## MEAT, FATS, FISH AND CHEESES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.\*

Ration Order 16 is amended in the following respects:

1. The first sentence of section 1.1 (a) (3) is amended to read as follows:

(3) "Rationed cheeses" include any natural cheese (but not "cottage cheese" or "cream cottage cheese" which contains 5 percent or less of butterfat by weight) and any other edible product containing 30 percent or more, by weight, of natural cheese (other than cottage cheese, or creamed cottage cheese containing 5 percent or less butterfat by weight).

2. The definition of "Rationed cheeses" in section 24.1 (a) is amended to read as follows:

\*Copies may be obtained from the Office of Price Administration.

†8 F.R. 13123, 13394, 13980, 14399, 14623, 14764, 14845, 15253, 15454, 15524.

"Rationed cheeses" means all cheeses of any kind, variety or description (but not including "cottage cheese", or "cream cottage cheese" containing 5 percent or less butterfat by weight) and any other edible product containing 30 percent or more, by weight, of such cheeses (other than cottage cheese, or creamed cottage cheese containing 5 percent or less butterfat by weight).

This amendment shall become effective at 12:01 a. m. December 9, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1-M, 7 F.R. 8234; Food Directive 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 9th day of December 1943.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 43-19718; Filed, December 10, 1943; 11:58 a. m.]

## PART 1412—SOLVENTS

[MPR 37, Amdt. 12]

## BUTYL ALCOHOL AND ESTERS THEREOF

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Section 1412.116 (c) is added to read as follows:

(c) For the purposes of this regulation, whenever a sale of butyl alcohol or acetate is made by one producer, and butyl alcohol or acetate of another producer is actually delivered in accordance with or pursuant to an order or request of the Office of Defense Transportation or the War Production Board, the transaction shall be treated as if delivery had been made of butyl alcohol or acetate produced by the producer making the sale, and a price may be charged not in excess of the maximum price established for such butyl alcohol or acetate.

This amendment shall become effective December 10, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 10th day of December 1943.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 43-19747; Filed, December 10, 1943; 4:50 p. m.]

†7 F.R. 6657, 7001, 7910, 8941, 8948; 8 F.R. 6046, 8874, 9884, 10672, 11686, 13721.



## PART 1382—HARDWOOD LUMBER

[MPR 155, Amdt. 11]

## CENTRAL HARDWOOD LUMBER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Maximum Price Regulation No. 155 is amended in the following respects:

1. Sections 1382.61 (b), (1) through (19) are amended to read as follows:

## (1) TOUGH WHITE ASH

Thickness (inches)	FAS	No. 1 Common and Selects or No. 1 Common	No. 2 Common	No. 3 Common
1	\$83.00	\$54.00	\$40.00	\$23.00
1 1/4	83.00	50.00	42.00	24.00
1 1/2	87.00	55.00	44.00	24.00
2	106.00	75.00	48.00	25.00
2 1/2	116.00	88.00	52.00	25.00
3	126.00	98.00	56.00	25.00
4	137.00	108.00	61.00	25.00

## (2) BASSWOOD

Thickness (inches)	FAS	No. 1 Common and Selects or No. 1 Common	No. 2A Common	No. 2 Common	No. 2B Common	No. 3 Common
1 1/4	\$58.00	\$43.00	\$36.00	\$31.00	\$29.00	-----
1 1/2	65.00	48.00	40.00	35.00	32.00	-----
1 3/4	73.00	53.00	44.00	39.00	35.00	-----
2	84.00	60.00	50.00	43.00	39.00	\$23.00
2 1/4	89.00	65.00	52.00	45.00	40.00	24.00
2 1/2	91.00	67.00	54.00	47.00	41.00	24.00
3	97.00	74.00	58.00	48.00	42.00	25.00
4	107.00	79.00	-----	-----	-----	-----

## (3) BEECH

Thickness (inches)	FAS	No. 1 Common and Selects or No. 1 Common	No. 2 Common	No. 3A Common	Box Grade	No. 3B Common
1 1/4	\$56.00	\$38.50	\$27.00	-----	-----	-----
1 1/2	64.00	44.50	31.00	-----	-----	-----
1 3/4	72.50	49.50	35.00	-----	-----	-----
2	84.50	57.50	41.00	\$33.00	\$28.00	\$24.00
2 1/4	89.50	61.00	44.00	35.50	29.00	25.00
2 1/2	93.00	64.50	45.50	36.00	30.00	25.00
3	100.00	71.00	49.00	37.00	31.00	26.00

## (4) BUCKEYE

Thickness (inches)	FAS	No. 1 Common and Selects or No. 1 Common	No. 2 Common	No. 3 Common
1	\$69.00	\$50.00	\$39.00	\$25.00
1 1/4	74.00	51.00	39.00	26.00
1 1/2	77.00	53.00	39.00	26.00
2	79.00	53.00	39.00	27.00

## (5) BUTTERNUT

Thickness (inches)	FAS	No. 1 Common and Selects or No. 1 Common	No. 2 Common	No. 3 Common
1	\$89.00	\$60.00	\$39.00	\$23.00
1 1/4	99.00	65.00	41.00	26.00
1 1/2	104.00	70.00	42.00	26.00
2	114.00	80.00	44.00	27.00

## (6) HACKBERRY

Thickness (inches)	Log Run	FAS	No. 1 Common and Selects or No. 1 Common	No. 2 Common	No. 3 Common
1 1/4	\$34.00	-----	-----	-----	-----
1 1/2	35.00	-----	-----	-----	-----
1 3/4	43.00	\$52.00	\$43.00	\$35.00	\$21.00
2	45.00	54.00	45.00	36.00	22.00
2 1/4	45.00	54.00	45.00	37.00	22.00
2 1/2	47.00	56.00	47.00	37.00	23.00
3	57.00	60.00	51.00	38.00	-----

## (7) HICKORY

Thickness (inches)	Log Run	FAS	No. 1 Common and Selects or No. 1 Common	No. 2 Common	No. 3 Common
1	\$48.00	\$76.00	\$50.00	\$33.00	\$21.00
1 1/4	50.00	79.00	52.00	36.00	22.00
1 1/2	52.00	81.00	55.00	42.00	22.00
2	59.00	86.00	60.00	42.00	23.00

## (8) HARD MAPLE

Thickness (inches)	FAS	No. 1 Common and Selects or No. 1 Common	No. 2 Common	Sound Wormy	No. 3A Common	Box Grade	No. 3B Common
1 1/4	\$69.00	\$50.00	\$32.00	\$32.00	-----	-----	-----
1 1/2	79.00	56.00	35.00	35.00	-----	-----	-----
1 3/4	88.00	62.00	39.00	39.00	-----	-----	-----
2	102.00	71.00	44.00	44.00	\$30.00	\$25.00	\$20.00
2 1/4	112.00	76.00	47.00	47.00	31.00	26.00	21.00
2 1/2	117.00	79.00	49.00	49.00	31.00	26.00	21.00
3	124.00	86.00	51.00	51.00	32.00	27.00	22.00
4	139.00	100.00	-----	-----	-----	-----	-----
5	154.00	115.00	-----	-----	-----	-----	-----
6	169.00	132.00	-----	-----	-----	-----	-----

## (9) SOFT MAPLE

Thickness (inches)	FAS	No. 1 Common and Selects or No. 1 Common	No. 2 Common	No. 3 Common
1 1/4	\$58.00	\$44.00	\$32.00	-----
1 1/2	66.00	49.00	34.00	-----
1 3/4	74.00	54.00	37.00	-----
2	85.00	62.00	42.00	\$25.00
2 1/4	90.00	66.00	45.00	26.00
2 1/2	92.00	68.00	47.00	26.00
3	99.00	76.00	49.00	27.00
4	112.00	85.00	-----	-----
5	124.00	95.00	-----	-----
6	139.00	110.00	-----	-----

## (10) RED OAK—QUARTERED

Thickness (inches)	FAS	No. 1 Common and Selects or No. 1 Common	No. 2 Common	Sound Wormy	No. 3A Common	No. 3B Common
1 1/4	\$63.00	\$44.00	\$32.00	\$31.00	-----	-----
1 1/2	71.00	49.00	35.00	35.00	-----	-----
1 3/4	80.00	54.00	39.00	38.00	-----	-----
2	92.00	62.00	44.00	43.00	\$30.00	\$20.00
2 1/4	102.00	67.00	47.00	47.00	-----	-----
2 1/2	107.00	72.00	50.00	51.00	-----	-----
3	117.00	77.00	52.00	54.00	-----	-----

## (11) RED OAK—PLAIN

Thickness (inches)	FAS	No. 1 Common and Selects or No. 1 Common	No. 2 Common	Sound Wormy	No. 3A Common	No. 3B Common
1 1/4	\$55.00	\$41.00	\$32.00	\$31.00	-----	-----
1 1/2	62.00	45.00	35.00	35.00	-----	-----
1 3/4	69.00	50.00	39.00	38.00	-----	-----
2	83.00	61.00	44.00	43.00	\$30.00	\$20.00
2 1/4	90.00	65.00	47.00	47.00	30.00	20.00
2 1/2	90.00	65.00	50.00	51.00	30.00	20.00
3	98.00	69.00	52.00	54.00	30.00	20.00
4	123.00	83.00	-----	-----	-----	-----
5	141.00	93.00	-----	-----	-----	-----
6	156.00	106.00	-----	-----	-----	-----

## (12) WHITE OAK—QUARTERED

Thickness (inches)	FAS	No. 1 Common and Selects or No. 1 Common	No. 2 Common	Sound Wormy	No. 3A Common	No. 3B Common
1 1/4	\$82.00	\$62.00	\$32.00	\$31.00	-----	-----
1 1/2	93.00	70.00	35.00	35.00	-----	-----
1 3/4	104.00	78.00	39.00	38.00	-----	-----
2	124.00	90.00	44.00	43.00	\$30.00	\$20.00
2 1/4	134.00	96.00	47.00	47.00	-----	-----
2 1/2	141.00	103.00	50.00	51.00	-----	-----
3	156.00	113.00	52.00	54.00	-----	-----

## (13) WHITE OAK—PLAIN

Thickness (inches)	FAS	No. 1 Common and Selects or No. 1 Common	No. 2 Common	Sound Wormy	No. 3A Common	No. 3B Common
1 1/4	\$72.00	\$43.00	\$32.00	\$31.00	-----	-----
1 1/2	82.00	48.00	35.00	35.00	-----	-----
1 3/4	91.00	53.00	39.00	38.00	-----	-----
2	119.00	65.00	44.00	43.00	\$30.00	\$20.00
2 1/4	117.00	70.00	47.00	47.00	30.00	20.00
2 1/2	119.00	71.00	50.00	51.00	30.00	20.00
3	126.00	76.00	52.00	54.00	30.00	20.00
4	146.00	93.00	-----	-----	-----	-----
5	161.00	107.00	-----	-----	-----	-----
6	176.00	122.00	-----	-----	-----	-----

\*Copies may be obtained from the Office of Price Administration.

18 F.R. 13007, 14343.



(14) WHITE OAK—PLAIN—WHEND

Thickness (Inches)	FAS	No. 1 Common and Better	No. 1 Common
1/4	\$46.00	\$36.00	\$31.00
3/8	53.00	40.00	35.00
1/2	57.00	44.00	38.00
3/4	72.00	58.00	48.00
1	79.00	62.00	52.00
1 1/4	81.00	64.00	57.00
1 1/2	88.00	66.00	61.00
2	108.00	85.00	78.00
2 1/2	123.00	100.00	90.00
3	138.00	110.00	101.00

(15) YELLOW POPLAR—QUARTERED

Thickness (Inches)	FAS	No. 1 Common and Selects or No. 1 Common	No. 2A Common	No. 2B Common	No. 3 Common
1/4	\$64.00	\$46.00	\$36.00	\$30.00	-----
3/8	73.00	52.00	40.00	33.00	-----
1/2	81.00	58.00	44.00	36.00	-----
3/4	94.00	66.00	50.00	41.00	\$23.00
1	100.00	70.00	52.00	42.00	24.00
1 1/4	103.00	73.00	54.00	43.00	24.00
1 1/2	115.00	79.00	57.00	44.00	25.00

(16) YELLOW POPLAR—PLAIN

Thickness (Inches)	FAS	Saps and Selects	No. 1 Common and Selects or No. 1 Common	No. 2A Common	No. 2B Common	No. 3 Common
1/4	\$61.00	\$57.00	\$44.00	\$36.00	\$30.00	-----
3/8	69.00	64.00	49.00	40.00	33.00	-----
1/2	77.00	70.00	54.00	44.00	36.00	-----
3/4	89.00	80.00	62.00	50.00	41.00	\$23.00
1	94.00	84.00	66.00	52.00	42.00	24.00
1 1/4	97.00	87.00	70.00	54.00	43.00	24.00
1 1/2	109.00	94.00	75.00	58.00	44.00	25.00
2	120.00	102.00	85.00	62.00	-----	-----
2 1/2	135.00	114.00	95.00	66.00	-----	-----
3	150.00	126.00	107.00	-----	-----	-----

(17) STRIPS

Species	Manufacture	Thickness (Inch)	Width (Inches)	Grade	
				Clear	No. 1 Common
Red Oak	Quartered	1	2 to 5 1/2	\$75.00	\$50.00
White Oak	Quartered	1	2 to 5 1/2	95.00	65.00

(18) CHESTNUT—WHEND

Thickness (Inches)	FAS	No. 1 Common and Selects or No. 1 Common	Sound Wormy	No. 2 Common	No. 3 Common
1/4	\$60.00	\$62.00	\$35.00	-----	-----
3/8	69.00	69.00	39.00	-----	-----
1/2	77.00	75.00	43.00	-----	-----
3/4	129.00	85.00	49.00	\$39.00	\$25.00
1	134.00	90.00	53.00	39.00	26.00
1 1/4	134.00	90.00	54.00	39.00	26.00
1 1/2	134.00	95.00	59.00	39.00	27.00
2	139.00	-----	62.00	39.00	-----
2 1/2	-----	-----	67.00	39.00	-----

(19) CHESTNUT—WHEND

Thickness (Inches)	FAS	No. 1 Common and Better	No. 1 Common
1/4	\$47.00	\$42.00	\$40.00
3/8	52.00	46.00	44.00
1/2	57.00	50.00	48.00
3/4	67.00	59.00	55.00
1	69.00	63.00	59.00
1 1/4	72.00	64.00	60.00
1 1/2	77.00	69.00	65.00

2. Under § 1382.61 (b) (20) a new note is added, reading as follows:

*Deduction for mixed hardwoods.* For mixed hardwoods—structural stock or sound square edge, deduct \$4.00 from the maximum price for white oak or red oak—structural stock or sound square edge in the same size in above schedule.

3. Section 1382.63 (b) (1) is amended to read as follows: (1) North Central hardwood lumber, sold on special grades or specifications or with special services or other extras not specifically mentioned in Appendix A, is nevertheless subject to this regulation. The maximum price is a price which bears the October 1941 relation to the most comparable standard item. The seller should find his price difference between the special item and this most comparable standard item in October 1941 or the first month before that in which he had sales of both items, or if this is impossible, the price differential he would have used. This difference is then added to or subtracted from the maximum price of the comparable standard grade, and the result is the maximum price for the special grade. This price must be reported to the Office of Price Administration, Washington, D. C. on OPA Form 255: 1 revised, given in subparagraph (3) below. It may be ordered reduced, if it is found excessive. But if the price is not disapproved within 30 days of the receipt of the report, it is approved. Applications for approval of maximum prices for special grades and items under this section will be considered only when accompanied by (i) a true copy of the order or of customer's inquiry on the basis of which the application has been submitted; and (ii) a statement certified to be true by the purchaser or prospective purchaser to the effect that none of the grades specifically priced in the regulation will serve the purpose for which the stock is intended to be used, which purpose is to be stated; that it has been his custom to purchase lumber on such special specifications. Approval of the price will be conditional on a finding that the purpose for which the special grade item is to be used is classified by the War Production Board as essential to the war effort. Prices for such special grades or items, when approved, will be based on the price differential previously established between the particular special item requirement and the related grade rule specification.

4. Under § 1382.64 (b) (32), a new note is added, reading as follows:

*Deduction for mixed hardwoods.* For mixed hardwoods—structural stock or sound

square edge, deduct \$4.00 from the maximum price for white oak or red oak—structural stock or sound square edge in the same size in above schedule.

5. Section 1382.66 (b) (1) is amended to read as follows:

(1) South Central hardwood lumber, sold on special grades or specifications or with special services or other extras not specifically mentioned in Appendix D, is nevertheless subject to this regulation. The maximum price is a price which bears the October 1941 relation to the most comparable standard item. The seller should find his price difference between the special item and this most comparable standard item in October 1941 or the first month before that in which he had sales of both items, or if this is impossible, the price differential he would have used. This difference is then added to or subtracted from the maximum price of the comparable standard grade, and the result is the maximum price for the special grade. This price must be reported to the Office of Price Administration, Washington, D. C. on OPA Form 255.2 revised, given in subparagraph (3) below. It may be ordered reduced, if it is found excessive. But if the price is not disapproved within 30 days of the receipt of the report, it is approved. Applications for approval of maximum prices for special grades and items under this section will be considered only when accompanied by (i) a true copy of the order or of customer's inquiry on the basis of which the application has been submitted; and (ii) a statement certified to be true by the purchaser or prospective purchaser to the effect that none of the grades specifically priced in the regulation will serve the purpose for which the stock is intended to be used, which purpose is to be stated; that it has been his custom to purchase lumber on such special specifications. Approval of the price will be conditional on a finding that the purpose for which the special grade item is to be used is classified by the War Production Board as essential to the war effort. Prices for such special grades or items, when approved, will be based on the price differential previously established between the particular special item requirement and the related grade rule specification.

This amendment shall become effective December 17, 1943.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 11th day of December 1943.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 43-19782; Filed, December 11, 1943; 11:58 a. m.]



## PART 1412—SOLVENTS

[MPR 36,<sup>1</sup> Amdt. 4]

## ACETONE

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Section 1412.66 (a) (4) is amended to read as follows:

(4) *Containers.* No extra charge may be made for containers. The seller may, however, require the buyer to return a container, but where he does so the maximum price for the contents of any such container as established by this regulation shall be decreased by an amount equal to the maximum price established by the applicable regulation of the Office of Price Administration for a used container of the same kind in good condition, f. o. b. buyer's plant. Where a seller requires the return of a container, he may charge a reasonable deposit for the return of such container. The deposit must be repaid to the buyer upon his return of the container in good condition within a reasonable time. Transportation costs with respect to the return of empty containers to the seller shall in all cases be borne by the seller.

This amendment shall become effective December 17, 1943.

(56 Stat. 23, 765; Pub. Laws 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 11th day of December 1943.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 43-19783; Filed, December 11, 1943;  
11:58 a. m.]

## PART 1412—SOLVENTS

[MPR 79, Amdt. 1]

## CARBON TETRACHLORIDE AND BLENDS THEREOF

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Section 1412 (d) (1) is amended to read as follows:

(1) The prices specified in paragraphs (a), (b), and (c) above for Zones 1, 2, and 3 are delivered prices except that:

(i) In the case of sales by resellers in 50-55 gallon containers, the buyer may be required to pay transportation charges in excess of \$3.00 per container, unless during the three month period ending February 2, 1942, it was the seller's custom to pay the entire cost of transportation on sales in containers of 50-55 gallons to buyers in the same locality.

(ii) In the case of sales of carbon tetrachloride blends in 50-55 gallon containers by a reseller located in one of the cities listed below to a buyer located out-

side the metropolitan area of that city, the prices specified for Zone 1 are f. o. b. seller's shipping point. The specified cities are: Minneapolis, Minnesota, St. Paul, Minnesota, Louisville, Kentucky, and St. Louis, Missouri.

(iii) Where the buyer is required to pay any part of the transportation charges, such part shall be separately stated by the seller on an invoice which he shall furnish the buyer prior to payment.

This amendment shall become effective December 17, 1943.

(56 Stat. 23, 765; Pub. Laws 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 11th day of December 1943.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 43-19784; Filed, December 11, 1943;  
11:58 a. m.]

## PART 1412—SOLVENTS

[MPR 295,<sup>1</sup> Amdt. 5]

## WEST COAST ETHYL ALCOHOL

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Maximum Price Regulation No. 295 is amended in the following respects:

1. Section 1412.151 (c) is added to read as follows:

(c) Nothing in this regulation, or in the General Maximum Price Regulation, shall apply to sales of west coast ethyl alcohol by the Defense Supplies Corporation to the United States or any agency thereof, or to the Government of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An act to promote the defense of the United States," or any agency of any such Government, or to any person who will use such west coast ethyl alcohol purchased by him to fulfill a contract with the United States or any agency thereof, or with any such Government or any agency of any such Government, or a subcontract under any such contract.

2. Section 1412.165 (d) is amended to read as follows:

(d) *Containers.* No extra charge may be made for containers. The seller may, however, require the buyer to return a container, but where he does so the maximum price for the contents of any such container as established by this regulation shall be decreased by an amount equal to the maximum price established by the applicable regulation of the Office of Price Administration for a used container of the same kind in good condition, f. o. b. buyer's plant. Where a seller requires the return of a container, he may charge a reasonable deposit for the return of such container. The de-

posit must be repaid to the buyer upon his return of the container in good condition within a reasonable time. Transportation costs with respect to the return of empty containers to the seller shall in all cases be borne by the seller.

This amendment shall become effective December 17, 1943.

(56 Stat. 23, 765; Pub. Laws 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 11th day of December 1943.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 43-19785; Filed, December 11, 1943;  
11:59 a. m.]

## PART 1438—NONMETALLIC MINERALS

[MPR 347,<sup>1</sup> Amdt. 4]

## MICA

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Section 5 is amended to read as follows:

SEC. 5. *Maximum prices for mica splittings and built-up mica produced therefrom—*(a) *General Maximum Price Regulation shall continue to apply.* Except as provided in section 5a, the provisions of the General Maximum Price Regulation<sup>2</sup> shall continue to apply to sales and deliveries of mica splittings and built-up mica produced therefrom. In addition, the reporting provisions of section 14, paragraph (b), of this Maximum Price Regulation No. 347, shall apply to domestic producers of built-up mica.

(b) *Tool charges.* Producers of built-up mica products may not increase the charges they made for tools and dies (sometimes referred to as "development charges") during March, 1942: *Provided,* That in any case where the producer of built-up mica products purchases tools or dies from a person regularly engaged in the business of manufacturing and selling such tools and dies, the producer of built-up mica products may charge the consumer of such products an amount equal to the actual cost of such tools or dies to the built-up mica producer. In no case, however, may such charge exceed the maximum price established for such tools or dies by Maximum Price Regulation No. 136,<sup>3</sup> or any other applicable regulation issued by the Office of Price Administration. In all cases, producers of built-up mica products shall continue their March, 1942 practices as to the rebating of such tool or development charges.

This amendment shall become effective December 17, 1943.

<sup>1</sup> 8 F.R. 3530, 6181, 8275, 11871.

<sup>2</sup> 8 F.R. 3096, 3849, 4347, 4486, 4724, 4978, 4848, 6047, 6962, 8511, 9025, 9991, 11955, 13724.

<sup>3</sup> 7 F.R. 5047.

\*Copies may be obtained from the Office of Price Administration.

<sup>1</sup> 7 F.R. 6655, 7001, 7910, 8941, 8948.

<sup>1</sup> 7 F.R. 11115; 8 F.R. 129, 2599, 4930.



(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 11th day of December 1943.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 43-19786; Filed, December 11, 1943;  
11:59 a. m.]

#### PART 1444—ICE BOXES

[MPR 399, Amdt. 11]

##### NEW ICE BOXES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Maximum Price Regulation No. 399 is amended in the following respects:

1. Section 14, Table A, "Retail ceiling prices in each state for sales of ice boxes by ice companies and retail establishments controlled by ice companies," is amended by adding ceiling prices for a new model ice box as set forth below.

Manufacturer	Brand	Model	Rated ice capacity	Retail base price
Shapleigh Hdw. Co.	Ice Diamond.	44 ID	Pounds 75	\$57.25

State:	Price
Alabama.....	\$57.25
Arizona.....	58.25
Arkansas.....	57.25
California.....	58.25
Colorado.....	57.50
Connecticut.....	57.25
Delaware.....	57.25
D. C.....	57.25
Florida.....	57.50
Georgia.....	57.25
Idaho.....	58.25

State:	Price
Illinois.....	\$57.25
Indiana.....	57.25
Iowa.....	57.25
Kansas.....	57.25
Kentucky.....	57.25
Louisiana.....	57.25
Maine.....	57.50
Maryland.....	57.25
Massachusetts.....	57.25
Michigan.....	57.25
Minnesota.....	57.25
Mississippi.....	57.25
Missouri.....	57.25
Montana.....	58.25
Nebraska.....	57.25
Nevada.....	58.25
New Hampshire.....	57.25
New Jersey.....	57.25
New Mexico.....	58.25
New York.....	57.25
No. Carolina.....	57.25
No. Dakota.....	57.50
Ohio.....	57.25
Oklahoma.....	57.25
Oregon.....	57.25
Pennsylvania.....	57.25
Rhode Island.....	57.25
So. Carolina.....	57.25
So. Dakota.....	57.25
Tennessee.....	57.25
Texas.....	57.50
Utah.....	58.25
Vermont.....	57.25
Virginia.....	57.25
Washington.....	58.25
West Virginia.....	57.25
Wisconsin.....	57.25
Wyoming.....	57.75

2. Section 16, Table C, "Ceiling prices in each state for all other sales of ice boxes at retail," is amended by adding ceiling prices for a new model ice box as set forth below.

Manufacturer	Brand	Model	Rated ice capacity	Retail base price
Shapleigh Hdw. Co.	Ice Diamond.	44 ID	Pounds 75	\$63.95

State:	Price
Alabama.....	\$65.00
Arizona.....	66.50
Arkansas.....	65.00
California.....	66.50
Colorado.....	65.50
Connecticut.....	65.25
Delaware.....	65.25
D. C.....	65.25
Florida.....	65.50
Georgia.....	65.25
Idaho.....	66.25
Illinois.....	64.50
Indiana.....	64.50
Iowa.....	64.75
Kansas.....	65.00
Kentucky.....	64.75
Louisiana.....	65.25
Maine.....	65.50
Maryland.....	65.25
Massachusetts.....	65.50
Michigan.....	64.75
Minnesota.....	65.00
Mississippi.....	65.00
Missouri.....	64.50
Montana.....	66.25
Nebraska.....	65.00
Nevada.....	66.50
New Hampshire.....	65.50
New Jersey.....	65.25
New Mexico.....	66.50
New York.....	65.25
North Carolina.....	65.25
North Dakota.....	65.50
Ohio.....	64.75
Oklahoma.....	65.25
Oregon.....	66.50
Pennsylvania.....	65.25
Rhode Island.....	65.50
South Carolina.....	65.25
South Dakota.....	65.25
Tennessee.....	64.75
Texas.....	65.50
Utah.....	66.25
Vermont.....	65.50
Virginia.....	65.25
Washington.....	66.50
West Virginia.....	65.00
Wisconsin.....	64.75
Wyoming.....	65.75

3. Section 15, Table B, "Retail ceiling prices for sales of ice boxes by mail order houses when selling from a mail order catalog," is amended to read as set forth below:

Manufacturer	Brand	Model	Rated ice capacity	F. o. b. factory	Ceiling prices f. o. b. warehouse shipping point									
					Los Angeles	Seattle	Kansas City	Atlanta	Memphis	Dallas	Phila- delphia	Boston	Chicago	Minne- apolis
			<i>Pounds</i>											
Sears, Roebuck.....	Sears.....	2950	75	\$52.75	\$55.87	\$55.87	\$53.82	\$54.57	\$54.57	\$54.57	\$54.71	\$54.77	\$52.75	\$52.75
Sears, Roebuck.....	Sears.....	2975	75	59.95	62.56	62.42	60.89	61.72	61.72	61.72	61.84	61.93	59.95	59.95
Sears, Roebuck.....	Sears.....	2936	75	52.75	55.87	55.87	53.82	54.57	54.57	54.57	54.71	54.77	52.75	52.75
Sears, Roebuck.....	Sears.....	2948	50	42.00	44.73	44.73	42.94	42.59	42.59	42.59	43.72	43.77	42.00	42.00

This amendment shall become effective on the 17th day of December 1943.

(Pub. Laws 421, 729, 77th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 11th day of December 1943.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 43-19787; Filed, December 11, 1943;  
12:00 m.]

\*Copies may be obtained from the Office of Price Administration.

8 F.R. 7448.

#### PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[MPR 403, Amdt. 5]

##### CERTAIN RUBBER COMMODITIES PURCHASED FOR GOVERNMENTAL USE

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

18 F.R. 7498, 8837, 10434.

Maximum Price Regulation 403 is amended in the following respects:

Section 20 (a) (1) is amended to read as follows:

(1) Canvas topped rubber footwear of vulcanized construction, including but not limited to: climbing shoes, gym shoes, and jungle boots.

This amendment shall become effective December 11, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong., E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)



Issued this 11th day of December 1943.

JAMES F. BROWNLEE,  
Acting Administrator.

[F. R. Doc. 43-19852; Filed, December 13, 1943;  
11:36 a. m.]

#### PART 1316—COTTON TEXTILES

[RPS 35, Amdt. 15]

##### CARDED GREY AND COLORED COTTON GOODS

The statement of considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.\*

Revised Price Schedule No. 35 is amended in the following respects:

1. Paragraph (b) in § 1316.53 is revoked and paragraph (c) thereof is redesignated (b).

2. Section 1316.56 is added to read as follows:

§ 1316.56 *Adjustable pricing.* No seller shall enter into an agreement permitting the adjustment of the contract prices to prices higher than the prices established in this schedule, whether such adjustment is conditioned upon amendment or invalidation of this schedule or upon any other contingency; and no price agreed upon in any contract shall be changed by amendment of such contract, by substitution therefor of a new contract or otherwise (whether or not such change is made pursuant to the original contract) if the change so effected results in an agreed price higher than the maximum price applicable under § 1316.61 to the original contract or to deliveries made pursuant thereto: *Provided*, That where a petition for amendment has been duly filed, and such petition requires extensive consideration, or if the Administrator is giving consideration to an increase in maximum prices, and it is determined that an exception would be in the public interest pending such consideration, the Administrator of the Office of Price Administration may grant an exception from the provisions of this section by issuing an order permitting the making of contracts adjustable upon the establishment of an increased price by the Administrator prior to such time as the order is revoked. Request for such an exception may be included in the aforesaid petition for amendment.

3. In § 1316.61 (b) (1) the second paragraph in footnote 3 is revoked.

This amendment shall become effective December 11, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7371, E.O. 9328, 8 F.R. 4631)

Issued this 11th day of December 1943.

JAMES F. BROWNLEE,  
Acting Administrator.

[F. R. Doc. 43-19803; Filed, December 11, 1943;  
4:47 p. m.]

\*Copies may be obtained from the Office of Price Administration.

#### PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Amdt. 66]

##### RETAIL CONFECTIONERY ITEMS

A statement of the considerations involved in the issuance of this amendment issued simultaneously herewith has been filed with the Division of the Federal Register.\*

Section 1.20 (a) and (d) are amended to read as follows:

(a) The manufacturer's maximum price to vending machine owners, operators or lessors for 5 cent retail confectionery items shall be \$2.62 per 100 items or his maximum price as established under the General Maximum Price Regulation.

(d) All vending machine owners, operators or lessors prior to a resale of these items at an increase in price to their distributors or lessees shall mail or otherwise supply to such distributors or lessees, together with a copy of the statement referred to therein, the following written notice:

The Office of Price Administration by section 1.20, as amended, to Revised Supplementary Regulation No. 14, has established the manufacturer's maximum price to us for 5 cent retail confectionery items at either \$2.62 per 100 items or the price as established by such manufacturer under the General Maximum Price Regulation. We are permitted to increase our ceiling price to you by an amount not in excess of 50% of the actual increase made by the manufacturer. Attached hereto is a true and accurate statement showing the actual increase to us for this item. Therefore, we are increasing our maximum price to you by ----- cents per 100 items which sum is not in excess of 50% of the increase made by the manufacturer. You are to maintain retail prices not in excess of your established maximum price.

This amendment shall become effective December 11, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7371; E.O. 9328, 8 F.R. 4631)

Issued this 11th day of December 1943.

JAMES F. BROWNLEE,  
Acting Administrator.

[F. R. Doc. 43-19304; Filed, December 11, 1943;  
4:47 p. m.]

#### Chapter XVII—Office of Civilian Defense

[Rev. Reg. 3, Amdt. 1]

##### PART 1903—UNITED STATES CITIZENS DEFENSE CORPS

##### MISCELLANEOUS AMENDMENTS

By virtue of the authority vested in me by Executive Order No. 8757, dated May 20, 1941, as amended by Executive Order No. 9134, dated April 15, 1942 and by Executive Order No. 9389, dated Octo-

ber 18, 1943, and Executive Order No. 9088, dated March 6, 1942, and pursuant to the Act approved January 27, 1942, and in accordance with Article 13 of Executive Order No. 9088, dated March 6, 1942, authorizing the Director of Civilian Defense to make and issue such rules, regulations and orders as he may deem necessary or desirable to carry out the purposes of the aforementioned Act of January 27, 1942, it is hereby ordered, That §§ 1903.1 to 1903.18 of this Chapter (Regulations No. 3, Revised August 1943, of the Office of Civilian Defense), as heretofore issued be amended effective December 15, 1943, as follows:

1. By adding to § 1903.7 a new paragraph (h) as follows:

(h) The duties of trainees for the Defense Corps shall include going to and from places of duty.

2. By adding to § 1903.12 a new paragraph (c) as follows:

(c) The duties of members of the Defense Corps shall include going to and from posts of duty.

3. By adding to § 1903.13 new paragraphs (d) and (e) as follows:

(d) The Commander of the Defense Corps may, with the approval of the local Defense Council, and in consultation with the appropriate Chief of Service, transfer to inactive status any member of the Defense Corps whose services are not currently required for operations in the Defense Corps. Such transfer may be effected by official notification to such member by the Commander of the Defense Corps and notation on the rolls. Service certificates may be awarded if deemed desirable by the Defense Council. Such member may retain all OCD equipment loaned to him until ordered to return such equipment by the Commander of the Defense Corps. A member in inactive status at any time may be returned to active membership by written order or, in case of emergency, by verbal order of the Commander of the Defense Corps. While in inactive status a member shall have no official duties in the Defense Corps.

(e) An honorable discharge may be given by the Commander of the Defense Corps to any member who desires to terminate his membership and who has faithfully performed his duties as a member of the Defense Corps. Any member of the Defense Corps may at any time voluntarily terminate his membership by resignation.

(56 Stat. 19, 50 U.S.C. App. 741, 742; E.O. 8757, 6 F.R. 2517; E.O. 9088, 7 F.R. 1775; E.O. 9134, 7 F.R. 2887; and E.O. 9389, 8 F.R. 14183)

[SEAL] JOHN B. MARTIN,  
Acting Director.

[F. R. Doc. 43-19772; Filed, December 11, 1943;  
11:51 a. m.]



## TITLE 49—TRANSPORTATION AND RAILROADS

## Chapter II—Office of Defense Transportation

(ODT 26A, Gen. Permit 2)

## PART 521—CONSERVATION OF MOTOR EQUIPMENT—PERMITS

## RENTAL CARS

In accordance with § 501.144 of General Order ODT 26A, it is hereby authorized that:

§ 521.3801 *Certain commercial deliveries of merchandise authorized.* Notwithstanding the provisions of § 501.142 (b) of General Order ODT 26A any person, during the period December 23, 1943, to December 25, 1943, inclusive, on February 14, 1944, and during the periods April 7, 1944, to April 9, 1944, inclusive, and May 12, 1944, to May 14, 1944, inclusive, may drive and operate a rental car for the purpose of making commercial deliveries of flowers which have been sold at retail.

The provisions of this general permit shall not be construed as relieving any person making retail deliveries from complying with the applicable provisions of General Order ODT 17, as amended, (7 F.R. 5678, 7694, 9623, 8 F.R. 8278, 12750, 14582).

(E.O. 8989, as amended, 9156, 9214; 6 F.R. 6725 and 8 F.R. 14183, 7 F.R. 3349, 6097; General Order ODT 26A, 8 F.R. 4934)

Issued at Washington, D. C., this 13th day of December 1943.

JOSEPH B. EASTMAN,  
Director,

Office of Defense Transportation.

[F. R. Doc. 43-19818; Filed, December 13, 1943; 10:37 a. m.]

## Notices

## TREASURY DEPARTMENT.

## Office of the Secretary.

## THREE AND ONE-QUARTER PERCENT TREASURY BONDS OF 1944-46

## NOTICE OF CALL FOR REDEMPTION

1. Public notice is hereby given that all outstanding 3¼ percent Treasury Bonds of 1944-46, dated April 16, 1934, are hereby called for redemption on April 15, 1944, on which date interest on such bonds will cease.

2. Holders of these bonds may, in advance of the redemption date, be offered the privilege of exchanging all or any part of their called bonds for other interest-bearing obligations of the United States, in which event public notice will hereafter be given and an official circular governing the exchange offering will be issued.

3. Full information regarding the presentation and surrender of the bonds for cash redemption under this call will

be found in Department Circular No. 666, dated July 21, 1941.

[SEAL] HENRY MORGENTHAU, Jr.,  
Secretary of the Treasury.

DECEMBER 13, 1943.

[F. R. Doc. 43-19851; Filed, December 13, 1943; 11:27 a. m.]

## DEPARTMENT OF THE INTERIOR.

## Coal Mines Administration.

[Order CMA-6]

A. & B. COAL CO., ET AL.

## ORDER TERMINATING GOVERNMENT POSSESSION

DECEMBER 10, 1943.

I have been advised that no strikes or stoppages have occurred since October 25 or are threatened in the coal mines of the mining companies listed in Appendix A. Based on such advice, and after consideration of all the circumstances, I find that the possession by the Government of such mines is not required for the furtherance of the war program.

Accordingly, I order and direct that the possession by the Government of the mines of the mining companies listed in Appendix A, attached hereto and made a part hereof, including any and all real and personal property, franchises, rights, facilities, funds, and other assets used in connection with the operation of such mines be, and it is hereby, terminated and that there be conspicuously displayed at those mining properties copies of a poster to be supplied by the Coal Mines Administration and reading as follows:

NOTICE: Government possession and control of the coal mines of this mining company have been terminated by order of the Secretary of the Interior.

Provided, however, That nothing contained herein shall be deemed to preclude the Government from requiring the submission of information relating to operations during the period of Government possession and control as provided in section 40 of the Regulations for the Operation of Coal Mines under Government Control, as amended (8 F.R. 6655, 10712, 11344), for the purpose of ascertaining the existence and amount of any claims against the United States so that the administration of the provisions of Executive Order No. 9393 (8 F.R. 14877) may be concluded in an orderly manner; and *Provided further*, That except as otherwise ordered, the appointments of the operating managers for the mines of the companies listed in Appendix A shall continue in effect.

HAROLD L. ICKES,  
Secretary of the Interior.

## APPENDIX A

## Name of Mining Company and Address

1. A. & B. Coal Company, Crawford, Tenn.
2. Alvey Bros. Coal Co., 431 Leitchfield Road, Owensboro, Ky.
3. America Coal Company, Zebulon, Ky.
4. American Fuel Corporation, P. O. Box 757, Morgantown, W. Va.

5. Askrens, Edward (Askrens Coal Co.), 1505 Elm Street, Coshocton, Ohio.
6. Austin City Mines (J. H. Suthard), Nortonville, Ky.
7. B. & H. Coal Company, Box 601, Bridgeport, W. Va.
8. B. & T. Coal Company, 120 E. Main St., Newcomerstown, Ohio.
9. B. & W. Coal Company, Crawford, Tenn.
10. Bakerstown Coal & Coke Company, 325 Goff Bldg., Clarksburg, W. Va.
11. Bartley Coal Company, Elkhorn City, Ky.
12. Bartley, John E., Ashcamp, Ky.
13. Bartley & Childers Coal Company, Big Branch, Ky.
14. Bear Creek Coal Company, Mount Victory, Ky.
15. Beech Grove Coal Company, P. O. Box 153, Bylesville, Ohio.
16. W. M. Birchfield Coal Company, Hellier, Ky.
17. M. P. Blake Coal Company, P. O. Box 117, Tunnelton, W. Va.
18. Blue Diamond Company, 232 Weller Ave., Zanesville, Ohio.
19. L. H. & J. W. Borgman, Inc., R. F. D. #4, Tunnelton, W. Va.
20. Bowden Coal Company, Box 733, Elkins, W. Va.
21. Buchanan Coal Company, Hazard, Ky.
22. Buckhannon River Coal Company, Adrian, W. Va.
23. Camp Creek Coal Company, East Lynn, W. Va.
24. Chesser Coal Corporation, 910 McCoy Street, Petersburg, Ind.
25. Columbia Coal and Mining Co., Inc. Paintsville, Ky.
26. Commodore Coal & Coke Company, 1717 Oliver Bldg., Pittsburgh, Pa.
27. Community Coal Company, Smith Mills, Ky.
28. Cutshin Coal Company, Inc., Combs, Ky.
29. Deep Hollow Coal Company, Cabincreek, W. Va.
30. Elkhorn Ferguson Coal Company, Pikeville, Ky.
31. Eureka Coal Company, 312 Maple Ave., Grafton, W. Va.
32. Flick Coal Company, Stoystown, Pa.
33. F. B. Fry Coal Company, Wayne, W. Va.
34. Fred S. Geer, Inc., Darlington, Pa.
35. Gerwig Coal Company, Exchange, W. Va.
36. Grantsville Coal Company, Grantsville, Md.
37. Hager Hill Coal Company, Lothair, Ky.
38. Hall Coal Company, 7 3rd St., Morgantown, W. Va.
39. J. W. Hanson & Sons, Queen Shoals, W. Va.
40. John M. Hirst and Company, 932 Leader Bldg., Cleveland, Ohio.
41. Edra Horn Coal Company, Barrett, W. Va.
42. Houck-Reidler Bros. Coal Mining Co., R. F. D. #3, Tunnelton, W. Va.
43. Hudson Coal Company, Coshocton, Ohio.
44. Jones Elkhorn Coal Company, Pikeville, Ky.
45. Jones & Hicks Mining Company, Prestonburg, Ky.
46. Keesee Coal Company, Pikeville, Ky.
47. Kingwood Coal Company, Kingwood, W. Va.
48. Kurz Coal Company, Inc., R. F. D. #4, Owensboro, Ky.
49. Left Fork Fuel Company, Inc., Box 1112, Huntington, W. Va.
50. Lewis and Dixon Coal Company, Cambridge, Ohio.
51. Lieving Coal Company, Kaylong, W. Va.
52. The Logan Clay Products Company, Logan, Ohio.
53. Marston Coal Company, Inc., 417 Boulevard of the Allies, Pittsburgh, Pa.
54. McDonald Coal Company, Beattyville, Ky.



55. Miller Coal Company, P. O. Box 98, Kingwood, W. Va.  
 56. Miller Coal Company, Regina, Ky.  
 57. Monitor Coal Company, Route 4, Bay City, Mich.  
 58. Mountain Coal Company, Pikeville, Ky.  
 59. Allen Mullins, Box 143, Big Branch, Ky.  
 60. Myers Coal Company, Grantsville, Md.  
 61. Nash Coal Company, Raven, Va.  
 62. Neilson Coal Company, Shawnee, Ohio.  
 63. Newburg Coal Company, Kingwood, W. Va.  
 64. Northwestern Improvement Company (as to its Rosebud Mine), St. Paul, Minn.  
 65. North Wilford Coal Company, Hymersa, Ind.  
 66. Paintsville Millers Creek Collieries, Paintsville, Ky.  
 67. Peach Orchard Coal Company, Inc., P. O. Box 323, Henderson, Ky.  
 68. Pikeville Coal Company, Pikeville, Ky.  
 69. Princess Pat Coal, Inc., 743 Washington St., Cumberland, Md.  
 70. Fred Hideout (Puddin Head Mine), Mannington, Ky.  
 71. Queen, Carl L. (Carl L. Queen Coal Co.) Buckhannon, W. Va.  
 72. Regina Coal Company, Regina, Ky.  
 73. Rockhouse Elkhorn Coal Company, Inc., Rockhouse, Ky.  
 74. W. A. Reynolds, Box 281, Richwood, W. Va.  
 75. Roscoe Shackelford Coal Company, Barwick, Ky.  
 76. S. & S. Coal Company, Inc., P. O. Box #103, Middlesboro, Ky.  
 77. Scott-Burke Coal Company, Pikeville, Ky.  
 78. Senter & Son Coal Company, Ashcamp, Ky.  
 79. Sharratt Coal Company, R. D. #1, Byesville, Ohio.  
 80. Shavers Mountain Coal Company, Elkins, W. Va.  
 81. Shelby Elkhorn Coal Company, Inc., Shelbyana, Ky.  
 82. Swan Creek Mining Company, St. Charles, Mich.  
 83. Tunnelton Co-Operative Coal Company, Tunnelton, W. Va.  
 84. Upper Elk Coal Company, Inc., Woodstock, Va.  
 85. H. R. Vanover Coal Company, 716 E. 7th St., Owensboro, Ky.  
 86. Victor Coal Company, Inc., Wise, Va.  
 87. J. A. Vintoux, Winfield, W. Va.  
 88. Williams Coal Company, Junior, W. Va.
- [F. R. Doc. 43-19788; Filed, December 11, 1943; 12:53 p. m.]

## DEPARTMENT OF AGRICULTURE.

## Rural Electrification Administration.

[Administrative Order 791]

## ALLOCATION OF FUNDS FOR LOANS

NOVEMBER 27, 1943.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	Amount
Colorado 4026B2 San Miguel	\$8,000
Illinois 4021E2 Menard	60,000
Missouri 4020B4 Marion	15,000
Nebraska 4078D2 Dawson District Public	70,000
New Mexico 4034E1 Eddy	6,000

Project designation—Continued.	Amount
Texas 4021A3 Milam	\$25,000
Texas 4061D2 Coleman	75,000
Wisconsin 4055B2 Adams	40,000

HARRY SLATTERY,  
Administrator.

[F. R. Doc. 43-19767; Filed, December 11, 1943; 11:10 a. m.]

[Administrative Order 792]

## ALLOCATION OF FUNDS FOR LOANS

NOVEMBER 27, 1943.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for a loan for the project and in the amount as set forth in the following schedule:

Project designation:	Amount
Colorado 4017F1 Prowers	\$880,000

HARRY SLATTERY,  
Administrator.

[F. R. Doc. 43-19768; Filed, December 11, 1943; 11:10 a. m.]

[Administrative Order 793]

## ALLOCATION OF FUNDS FOR LOANS

DECEMBER 3, 1943.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	Amount
Illinois 4023E2 Sangamon	\$50,000
Kansas 4032D1 Reno	20,000
Texas 4069C5 Erath	75,000
Texas 4085B2 Wise	20,000
Wisconsin 4014D2 Oconto	80,000
Wisconsin 4040E2 Barron	55,000

WILLIAM J. NEAL,  
Acting Administrator.

[F. R. Doc. 43-19744; Filed, December 10, 1943; 3:30 p. m.]

## DEPARTMENT OF LABOR.

## Wage and Hour Division.

## LEARNER EMPLOYMENT CERTIFICATES

## ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rate applicable under section 6 of the act are issued under section 14, thereof, Part 522 of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4725), and the determination and order or regulation listed below and

published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724), as amended by Administrative Order March 13, 1943 (8 F.R. 3079), and Administrative Order June 7, 1943 (8 F.R. 7890).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order September 20, 1940 (5 F.R. 3748), and as further amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982), as amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 20, 1941 (6 F.R. 3753).

The employment of learners under these certificates is limited to the terms and conditions therein contained and to the provisions of the applicable determination and order or regulations cited above. The applicable determination and order or regulations, and the effective and expiration dates of the certificates issued to each employer is listed below. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates, may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EFFECTIVE DATES

SINGLE PANTS, SHIRTS, AND ALLIED GARMENTS, WOMEN'S APPAREL, SPORTSWEAR, RAINWEAR, ROBES AND LEATHER AND SHEEP-LINED GARMENTS DIVISIONS OF THE APPAREL INDUSTRY

Angelica Jacket Company, 1419-29 Olive Street, St. Louis, Missouri; washable work clothes, apparel for armed forces; 10 percent (T); effective December 8, 1943, expiring December 7, 1944.

Casey Jones, Inc., Mt. Jackson, Virginia; U. S. Navy work clothes; 10 learners (T); effective December 11, 1943, expiring December 10, 1944.

Casey Jones, Inc., Shenandoah, Virginia; Navy work clothing; 10 learners (T); effective December 11, 1943, expiring December 10, 1944.

Casey Jones, Inc., 2311 Adams Avenue, Huntington, West Virginia; U. S. Army trousers, dungarees; 10 percent (T); effective December 8, 1943, expiring December 7, 1944.

Kingston Shirt Company, King Street, Kingston, North Carolina; shirts; 10 percent (T); effective December 8, 1943, expiring December 7, 1944.

MacLaren Sportswear Company, 2nd & Alder Street, Phillipsburg, Pennsylvania; Army



trousers, civilian trousers and shirts; 10 percent (T); effective December 15, 1943, expiring December 14, 1944.

Mendota Trouser Company, 500 Ninth Avenue, Mendota, Illinois; work and dress trousers; 10 learners (T); effective December 8, 1943, expiring December 7, 1944.

New England Pants Company, 57 North Street, Willimantic, Connecticut; men's trousers; 10 percent (T); effective December 10, 1943, expiring December 9, 1944.

Nuckasee Manufacturing Company, 121 West Broad Street, Greenville, South Carolina; dress shirts, union suits; 10 percent (T); effective December 9, 1943, expiring December 8, 1944.

Salant & Salant, Inc., Parsons, Tennessee; cotton work pants and shirts, U. S. Army cotton khaki trousers; 10 percent (T); effective December 11, 1943, expiring February 10, 1944.

Salant & Salant, Inc., South First Street, Union City, Tennessee; cotton work shirts; 10 percent (T); effective December 7, 1943, expiring February 6, 1944.

Waymart Products Company, 42 River Street, Carbondale, Pennsylvania; ladies' underwear; 8 learners (T); effective December 9, 1943, expiring July 7, 1944. (This certificate replaces the certificate previously issued, effective July 7, 1943 and expiring July 7, 1944.)

#### GLOVES INDUSTRY

Tennessee Glove Company, Inc., South Atlantic Street, Tullahoma, Tennessee; work gloves; 15 learners (AT); effective December 11, 1943, expiring June 10, 1944.

Wells Lamont Corporation, Elsberry, Missouri; work gloves; 20 learners (AT); effective December 11, 1943, expiring June 10, 1944.

#### HOSIERY INDUSTRY

Bear Brand Hosiery Company, 1300 Washington Street, Henderson Kentucky; seamless hosiery; 5 percent (T); effective December 11, 1943, expiring December 10, 1944.

Berton Hosiery Mills, Granite Falls, North Carolina; seamless hosiery; 5 learners (T); effective December 10, 1943, expiring December 9, 1944.

Crescent Knitting Company, Armfield Street, Statesville, North Carolina; seamless hosiery; 5 percent (T); effective December 15, 1943, expiring June 14, 1944.

Glenn Hosiery Company, Box 866, High Point, North Carolina; seamless hosiery; 10 percent (AT); effective December 10, 1943, expiring June 9, 1944.

McDonough Hosiery Mills, Inc., McDonough, Georgia; seamless hosiery; 10 learners (AT); effective December 11, 1943, expiring June 10, 1944.

#### KNITTED WEAR INDUSTRY

Century-Beverly Corporation, Walnut Street, Pottstown, Pennsylvania; cotton knit underwear; 7 learners (T); effective December 10, 1943, expiring December 9, 1944.

Signed at New York, N. Y., this 11th day of December 1943.

MERLE D. VINCENT,  
Authorized Representative  
of the Administrator.

[F. R. Doc. 43-19840; Filed, December 13, 1943; 10:50 a. m.]

### FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6558]

KANAWHA VALLEY BROADCASTING CO.  
(WGKV)

#### NOTICE OF HEARING

In re application of Kanawha Valley Broadcasting Company (WGKV); date

filed, September 29, 1943; for renewal of license; class of service, broadcast; class of station, broadcast; location, Charleston, W. Va.; operating assignment specified; frequency, 1490 kc.; power, 100 w.; hours of operation, unlimited.

You are hereby notified that the Commission has examined the above-described application and has designated the matter for hearing for the following reasons:

1. To determine whether the applicant is financially, technically and otherwise qualified to continue the operation of Station WGKV.

2. To determine whether the applicant, in its applications for modification of construction permit and for license, following construction, for the operation of Station WGKV, made full disclosure as to all parties in interest in the applicant corporation, the distribution of the stock of said corporation and outstanding options for stock therein.

3. To obtain full information in connection with the financing of the construction of the station and the issuance of stock and options for stock in the applicant corporation, to John A. Kennedy and other parties.

4. To determine whether the licensee assumed and has exercised the responsibilities incident to the management, operation and control of said station and discharged the duties of a licensee of a radio broadcast station, as contemplated and required by the provisions of the Communications Act of 1934, as amended, and the Rules and Regulations of the Commission.

5. To obtain full information respecting the manner in which and by whom the station has been and is now being operated, and the character of service that has been and is now being rendered.

6. To determine whether the statements and representations made to the Commission in various applications and documents filed on behalf of the applicant, its officers, directors and agents, fully and accurately reflect the facts, or whether same were false, and misleading.

7. To determine what contracts, options, or other instruments or oral agreements or understandings have been executed or entered into relative to the transfer of stock in the licensee corporation, and whether same were filed with the Commission as required by its Rules, particularly section 43.1.

8. To determine whether the license granted for the operation of Station WGKV, or the rights and/or responsibilities incident thereto, have been, in any manner, either directly or indirectly, transferred, assigned or in any manner disposed of, without the consent of the Commission, as provided by the provisions of the Communications Act of 1934, as amended, and particularly section 310 (b) thereof.

9. To determine whether the station has been operated by any person without a license granted by the Commission, in violation of the Communications Act of 1934, particularly section 301 thereof.

10. To obtain full information relative to the transfer of control of licensee corporation to Worth Kramer, and

whether said transfer of control was reported to the Commission pursuant to the provisions of the Communications Act and the Rules of the Commission, particularly § 43.1.

11. To determine whether in view of the facts adduced under the foregoing issues, public interest, convenience or necessity would be served by the continued operation of Station WGKV.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: Kanawha Valley Broadcasting Company, Radio Station WGKV, Empire Building, 208 Dickinson Street, Charleston 1, West Virginia.

Dated at Washington, D. C., December 9, 1943.

By the Commission.

[SEAL]

T. J. SLOWIE,  
Secretary.

[F. R. Doc. 43-19850; Filed, December 13, 1943; 11:13 a. m.]

### FEDERAL POWER COMMISSION.

[Docket No. G-511]

HOPE NATURAL GAS CO.

NOTICE OF APPLICATION

DECEMBER 10, 1943.

Notice is hereby given that on December 7, 1943, Hope Natural Gas Company (hereinafter referred to as "Applicant"), a West Virginia corporation with principal place of business located at 445 West Main Street, Clarksburg, West Virginia, filed with the Federal Power Commission an application for a certificate of public convenience and necessity under section 7 of the Natural Gas Act, as amended; to authorize the construction and operation at Applicant's existing Cornwell Compressor Station, Kanawha County, West Virginia, of the following described facilities:

- (a) One gas engine driven gas compressor of 1,000 horsepower,
- (b) Two high stage gas compressors,
- (c) Gas and water coolers and appurtenant equipment.

In addition, Applicant proposes to revamp some of its existing equipment located at the compressor station. The main changes proposed will consist of strengthening the present station piping system, the replacing of two low stage compressors by high stage compressors and a small extension to the present dehydration plant.

The proposed facilities will constitute an addition to Applicant's existing Corn-



well Compressor Station and will serve to augment the Applicant's general supplies of natural gas, it is asserted in the application.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 43-19748; Filed, December 11, 1943;  
10:11 a. m.]

[Docket No. G-512]

HOPE NATURAL GAS CO.

NOTICE OF APPLICATION

DECEMBER 10, 1943.

Notice is hereby given that on December 7, 1943, Hope Natural Gas Company (hereinafter referred to as "Applicant"), a West Virginia corporation with principal place of business located at 445 West Main Street, Clarksburg, West Virginia, filed with the Federal Power Commission an application for a certificate of public convenience and necessity under section 7 of the Natural Gas Act, as amended, to authorize the construction and operation of the following described facilities:

A natural gas dehydration plant to be located at Applicant's existing Bridgeport Compressor Station in Harrison County, West Virginia, consisting of contactor, still, surge and storage tank, glycol coolers, circulating pumps and appurtenant equipment.

The proposed facilities will be operated as a unit to withdraw all moisture from the gas which will be stored in the Applicant's Bridgeport Storage Area. It is expected that such facilities will be capable of handling up to 75,000 M. c. f. per day, which is the input storage capacity of this area, it is asserted in the application.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 43-19749; Filed, December 11, 1943;  
10:11 a. m.]

## INTERSTATE COMMERCE COMMISSION.

[Corrected Special Permit 2 Under S. O. 155]

### SHIPMENT OF VEGETABLES

#### REFRIGERATION

Pursuant to the authority vested in me by paragraph (b) of the first ordering paragraph (§ 95.320, 8 F.R. 13193) of Service Order No. 155 of September 23, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To retop ice at Laramie, Wyoming, cars PFE 94617, PFE 16534, PFE 92631, PFE 21515, and NRC 4675, carrots, from J. R. Simplot Produce Company, Kimberly, Idaho.

The waybills shall show reference to this special permit.

A copy of this permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of

this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C. this 15th day of November, 1943.

HOMER C. KING,  
Director, Bureau of Service.

[F. R. Doc. 43-19813; Filed, December 13, 1943;  
10:43 a. m.]

[Special Permit 11 Under S. O. 164]

### SHIPMENT OF CITRUS FRUIT

#### STANDARD REFRIGERATION

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.323, 8 F.R. 15491) of Service Order No. 164 of November 10, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To provide standard refrigeration on car ART 17266, tangerines, from Engleman Products Company, Elsa, Texas, December 7, 1943, to Slade and Stewart Company, Vancouver, British Columbia, Canada. (SP)

The waybill shall show reference to this special permit.

A copy of this permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 7th day of December, 1943.

HOMER C. KING,  
Director, Bureau of Service.

[F. R. Doc. 43-19814; Filed, December 13, 1943;  
10:43 a. m.]

[Special Permit 12 Under S. O. 164]

### SHIPMENT OF VEGETABLES

#### STANDARD REFRIGERATION

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.323, 8 F.R. 15491) of Service Order No. 164 of November 10, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To provide standard refrigeration on car FGE 43539, kumquats, from J. J. Clamar and Company, Plant City, Florida, December 8, 1943, to Saxonia Preserving Company, Ltd., Montreal, Canada. (SAL-RF&P-PRR-D&H-GT).

The waybill shall show reference to this special permit.

A copy of this permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the

terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 8th day of December 1943.

HOMER C. KING,  
Director, Bureau of Service.

[F. R. Doc. 43-19815; Filed, December 13, 1943;  
10:43 a. m.]

[Special Permit 13 Under S. O. 164]

### SHIPMENT OF CITRUS FRUIT

#### STANDARD REFRIGERATION

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.323, 8 F.R. 15491) of Service Order No. 164 of November 10, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To provide standard refrigeration on car FGE 37674, tangerines, from Pollis and Hagan, Elsa, Texas, December 9, 1943, consigned to Pollis and Hagan at Houston, Texas, re-consigned to Himelstein Brothers, Incorporated, Fort Wayne, Indiana. (MoPac-NKP)

The waybill shall show reference to this special permit.

A copy of this permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 10th day of December, 1943.

HOMER C. KING,  
Director, Bureau of Service.

[F. R. Doc. 43-19816; Filed, December 13, 1943;  
10:43 a. m.]

## OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 2653]

GEORGE BANWART

In re: Estate of George Banwart, deceased; File D-66-873; E. T. sec. 5548.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Anna Frank Dawson, Administratrix, acting under the judicial supervision of the Orphans' Court of Philadelphia County, Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,



*Nationals and Last Known Address*

Maria Anna Ulsch, Germany.  
Heirs, names unknown, of Paulina Banwart Horn, Germany.  
Marie Banwart, Germany.  
Marianne Banwart, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Maria Anna Ulsch, Heirs, names unknown, of Paulina Banwart Horn, Marie Banwart and Marianne Banwart, and each of them, in and to the estate of George Banwart, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: November 30, 1943.

[SEAL] LEO T. CROWLEY,  
*Alien Property Custodian.*

[F. R. Doc. 43-19750; Filed, December 11, 1943;  
10:21 a. m.]

[Vesting Order 2654]

MARY BERGER

In re: Estate of Mary Berger, also known as Marie Berger, deceased; File D-28-2110; E. T. sec. 2594.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian, after investigation,

Finding that—

(1) The property and interests herein-after described are property which is in the

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process of administration by Phil C. Katz, Administrator, acting under the judicial supervision of the Superior Court of the State of California, in and for the City and County of San Francisco;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

*National and Last Known Address*

Franziska Berger, (Austria), Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Franziska Berger, in and to the Estate of Mary Berger, also known as Marie Berger, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: November 30, 1943.

[SEAL] LEO T. CROWLEY,  
*Alien Property Custodian.*

[F. R. Doc. 43-19751; Filed, December 11, 1943;  
10:21 a. m.]

[Vesting Order 2655]

LOUIS A. BEHR

In re: Trust under the will of Louis A. Behr, deceased; File D-28-4047; E. T. sec. 7008.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Fidelity Trust Company, Trustee, acting under the judicial supervision of the Orphans Court, Allegheny County, Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of designated enemy countries, Italy and Germany, namely,

*National and Last Known Address*

Yetchen Behr, Italy.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of designated enemy countries, Italy and Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Yetchen Behr in and to the trust created under the will of Louis A. Behr, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: November 30, 1943.

[SEAL] LEO T. CROWLEY,  
*Alien Property Custodian.*

[F. R. Doc. 43-19752; Filed, December 11, 1943;  
10:21 a. m.]

[Vesting Order 2656]

AUGUST CRUSIUS

In re: Estate of August Crusius, deceased; File No. D-28-3846; E. T. sec. 6517.

Under the authority of the Trading with the Enemy Act, as amended, and



Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

**Finding that—**

(1) The property and interests hereinafter described are property which is in the process of administration by Howland O. Walter, successor trustee, acting under the judicial supervision of the Surrogate's Court, Kings County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

**Nationals and Last Known Address**

Caroline C. Crusius, Germany.  
Minna Crusius, Germany.  
Hans Enrich, Germany.  
Auguste Crusius, Germany.  
Anna Boettler Gauch, Germany.  
Hermann Boettler, Germany.  
Hugo Gauch, Germany.  
Wolfgang Gauch, Germany.  
Inge Gauch, Germany.  
Emmy Crusius Lincks (mentioned in the will as Emmy Crusius), Germany.  
George Lincks, Germany.  
Luise Heusser Kuhn (mentioned in the will as Louise Heusser Kuhn), Germany.  
Ruth Heusser Foerster (mentioned in the will as Ruth Caroline Philippine Heusser), Germany.  
Helmuth Foerster, Germany.  
Herbert Foerster, Germany.  
"Paul" Gauch (first name being fictitious), Germany.  
"Marie" Boettler (first name being fictitious), Germany.  
The domiciliary executor, administrator, heirs at law, distributees or next of kin of Carl Crusius, deceased, Germany.

**And determining that—**

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Caroline C. Crusius, Minna Crusius, Hans Enrich, Auguste Crusius, Anna Boettler Gauch, Hermann Boettler, Hugo Gauch, Wolfgang Gauch, Inge Gauch, Emmy Crusius Lincks (mentioned in the will as Emmy Crusius), George Lincks, Luise Heusser Kuhn (mentioned in the will as Louise Heusser Kuhn), Ruth Heusser Foerster (mentioned in the will as Ruth Caroline Philippine Heusser), Helmuth Foerster, Herbert Foerster, "Paul" Gauch, "Marie" Boettler and the domiciliary executor, administrator, heirs at law, distributees or next of kin of Carl Crusius, deceased, and each of them, in and to the estate of August Crusius, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to

indicate that compensation will not be paid in lieu thereof; if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: November 30, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-19753; Filed, December 11, 1943;  
10:21 a. m.]

[Vesting Order 2657]

MATTHEW DE YESO

In re: Estate of Matthew De Yeso, deceased; File No. 017-3676.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

**Finding that—**

(1) The property and interests hereinafter described are property which is in the process of administration by Kenneth C. Cole, Public Administrator, acting under the judicial supervision of the Surrogate's Court of Westchester County, New York.

(2) Such property and interests are payable or deliverable to, or claimed by a national of a designated enemy country, Italy, namely,

**National and Last Known Address**

Lorenzo De Yeso, Ariano Irpino, Prov. di Avellino, Italy.

**And determining that—**

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Lorenzo De Yeso in and to the Estate of Matthew De Yeso, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such

property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: November 30, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-19754; Filed, December 11, 1943;  
10:21 a. m.]

[Vesting Order 2658]

TAKANOSHIN DOMOTO

In re: Estate of Takanoshin Domoto, deceased; File F-39-1476; E. T. sec. 733.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

**Finding that—**

(1) The property and interests hereinafter described are property which is in the process of administration by Takayuki Domoto, Administrator, acting under the judicial supervision of the Superior Court of the State of California, in and for the City and County of San Francisco;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Japan, namely,

**Nationals and Last Known Address**

Matsue Domoto, Japan.  
Takaji Domoto, Japan.  
Yuki Maki, Japan.  
Yoshi Kobayashi, Japan.  
Takazo Domoto, Japan.  
Tomi Uyeda, Japan.

**And determining that—**

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Japan; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Matsue Domoto, Takaji Domoto, Yuki Maki, Yoshi Kobayashi, Takazo Domoto and Tomi Uyeda and each of them in and to the Estate of Takanoshin Domoto, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in



the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: November 30, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-19755, Filed, December 11, 1943;  
10:22 a. m.]

[Vesting Order 2659]

EMILY S. DOW

In re: Trusts under will of Emily S. Dow, deceased; File D-28-1691; E. T. sec. 639 and 640.

Under the authority of the Trading with the Enemy Act as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Irving Trust Company, 1 Wall Street, New York, N. Y., and Lewis R. Conklin, 63 Wall Street, New York, N. Y., Trustees, acting under the judicial supervision of the Surrogate's Court, New York County, State of New York;

(2) Such property and interests are payable or deliverable to, or claimed by nationals of a designated enemy country, Germany, namely,

*Nationals and Last Known Address*

Eleonore Von Crailsheim and her issue, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive order or act or otherwise, and deeming it necessary in the national interest.

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Eleonore Von Crailsheim and her issue, and each of them, in and to trusts created under the Last Will and Testament of Emily S. Dow, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof shall be held in an appropriate special account or accounts pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: November 30, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-19756; Filed, December 11, 1943;  
10:22 a. m.]

[Vesting Order 2660]

HERMAN HALLENSLEBEN

In re: Estate of Herman Hallensleben, deceased; File D-28-2293; E. T. sec. 3156.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by American Trust Company, Executor, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Alameda;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

*Nationals and Last Known Address*

Wilhelm Hallensleben, Germany.  
Children, names unknown, of Wilhelm Halle'sleben, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and

certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Wilhelm Hallensleben and children, names unknown, of Wilhelm Hallensleben, and each of them, in and to the Estate of Herman Hallensleben, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: November 30, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-19757; Filed, December 11, 1943;  
10:22 a. m.]

[Vesting Order 2661]

NATALIE HANAU

In re: Estate of Natalie Hanau, deceased; File D-28-1602; E. T. sec. 427.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of Cook County, County Building, Chicago, Illinois, Depositary, and, The Northern Trust Company, 50 South LaSalle Street, Chicago, Illinois, Executor, acting under the judicial supervision of the Probate Court of the State of Illinois, in and for the County of Cook;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

*Nationals and Last Known Address*

Emily (Emilie) Draheim, Germany.  
Gertrude Renz, Germany.  
Edith Palm, Germany.



Curt (Kurt) Renz, Germany.

Person or persons, names unknown, heirs, next of kin, devisees, legatees, distributees, personal representatives, administrators, executors and assigns of Curt (Kurt) Renz, Germany.

Paul Renz, Germany.

Person or persons, names unknown, heirs, next of kin, devisees, legatees, distributees, personal representatives, administrators, executors and assigns of Paul Renz, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

The sum of \$22,208.98 which is in the possession and custody of Victor L. Schlaeger, Treasurer of Cook County, Illinois, Depository, pursuant to an order of the Probate Court of Cook County, Illinois, in the matter of the estate of Natalie Hanau, deceased; also, all right, title, interest and claim of any kind or character whatsoever of Emily (Emilie) Draheim, Gertrude Renz, Edith Palm, Curt (Kurt) Renz, person or persons, names unknown, heirs, next of kin, devisees, legatees, distributees, personal representatives, administrators, executors and assigns of Curt (Kurt) Renz, Paul Renz and person or persons, names unknown, heirs, next of kin, devisees, legatees, distributees, personal representatives, administrators, executors and assigns of Paul Renz, and each of them, in and to the estate of Natalie Hanau, deceased, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: November 30, 1943.

[SEAL]

LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-19758; Filed, December 11, 1943; 10:22 a. m.]

[Vesting Order 2662]

AUGUST P. HARTUNG

In re: Estate of August P. Hartung, deceased; File D-66-433; E. T. sec. 2995.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Fidelity Union Trust Company of Newark, New Jersey, Executor, acting under the judicial supervision of the Essex County Orphans' Court of Essex County, New Jersey;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Domiciliary representatives, next of kin, distributees, successors and assigns of Karl Hartung, Germany.

Domiciliary representatives, next of kin distributees, successors and assigns of Wilhelm Hartung, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of the domiciliary representatives, next of kin, distributees, successors and assigns of Karl Hartung and the domiciliary representatives, next of kin, distributees, successors and assigns of Wilhelm Hartung and each of them in and to the Estate of August P. Hartung, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: November 30, 1943.

[SEAL]

LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-19759; Filed, December 11, 1943; 10:22 a. m.]

[Vesting Order 2663]

TAYEKO KAWASAKI AND SACHIKO KAWASAKI

In re: Joint guardianship estate of Tayeko Kawasaki and Sachiko Kawasaki, minors; File F-39-3806; E. T. sec. 8485.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described in sub-paragraphs (a) and (b) are property which is in the process of administration by J. K. Sano, guardian, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Los Angeles;

(2) The property and interests described in sub-paragraph (a) are payable or deliverable to, or claimed by, nationals of a designated enemy country, Japan, namely,

Nationals and Last Known Address

Tayeko Kawasaki, Japan.  
Sachiko Kawasaki, Japan.

(3) The property and interests described in sub-paragraph (b) are property within the United States owned by nationals of a designated enemy country, Japan, namely,

Nationals and Last Known Address

Tayeko Kawasaki, Japan.  
Sachiko Kawasaki, Japan.

And determining that—

(4) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Japan; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

(a) All right, title, interest and claim of any kind or character whatsoever of Tayeko Kawasaki and Sachiko Kawasaki, and each of them, in and to the Guardianship Estate in the possession of J. K. Sano, Guardian, of the above entitled Guardianship Estate.

(b) All that real property, together with all fixtures, improvements and appurtenances thereto, subject to recorded liens and encumbrances and other rights of records, situated in Los Angeles County, State of California, and particularly described as follows:

PARCEL 1: Lot five (5) of Peterson Subdivision of lot six (6) of Workman and Hellman's Subdivision of block Seventy-three (73) Hancock's Survey, as per map recorded in Book 10, page 72 of Miscellaneous Records of Los Angeles County.



**PARCEL 2:** Lot nine (9) of the subdivision of the Garden of J. Murat, excepting that portion thereof included in First Street as widened; as per map recorded in Book 10, at page 8 of Miscellaneous Records of Los Angeles County.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: November 30, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-19760; Filed, December 11, 1943;  
10:22 a. m.]

[Vesting Order 2664]

EMILIE KOSBAB

In re: Estate of Emilie Kosbab, deceased; File D-28-4182; E.T. sec. 7251.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Security Trust Company of Rochester, as executor, acting under the judicial supervision of the Surrogate's Court, Monroe County, State of New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

*Nationals and Last Known Address*

Hedwig Rahn, Germany.  
Johanna Rahn, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Hedwig Rahn and Johanna Rahn, and each of them, in and to the Estate of Emilie Kosbab, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: November 30, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-19761; Filed, December 11, 1943;  
10:22 a. m.]

[Vesting Order 2665]

SIMON KOSHLAND

In re: Estate of Simon Koshland, deceased; File D-28-2564; E. T. sec. 3887.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian, after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Melville Monheimer, Administrator, acting under the judicial supervision of the Superior Court, King County, Washington;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

*National and Last Known Address*

Flora Koshland, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Flora Koshland, in and to the Estate of Simon Koshland, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: November 30, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-19762; Filed, December 11, 1943; 10:23 a. m.]

[Vesting Order 2666]

NICOLA LAPENTA, ET AL.

In re: Guardianship of the estates of Nicola Lapenta, Maria Lapenta, Rocco Lapenta, and Antonio Lapenta, minors; File D-38-1153; E.T. sec. 3305.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian, after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Francesco Lapenta, also known as Francisco La Penta, Guardian, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of San Joaquin;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Italy, namely,

*Nationals and Last Known Address*

Nicola Lapenta, Italy.  
Maria Lapenta, Italy.  
Rocco Lapenta, Italy.  
Antonio Lapenta, Italy.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States re-



quires that such persons be treated as nationals of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Nicola Lapenta, Maria Lapenta, Rocco Lapenta and Antonio Lapenta, and each of them, in and to the Guardianship Estates in the possession of Francesco Lapenta, also known as Francisco La Penta, Guardian, of the above entitled Guardianship Estates,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: November 30, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-19763; Filed, December 11, 1943;  
10:23 a. m.]

[Vesting Order 2667]

JOSEPH LAVEZZO

In re: Estate of Joseph Lavezzo, deceased; File D-38-727; E. T. sec. 7756.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Salvador J. Cosimano, Sr., Administrator, acting under the judicial supervision of the District Court of the United States for the District of Columbia;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Italy, namely,

#### Nationals and Last Known Address

John B. Lavezzo, Italy.  
Adalina Lavezzo, Italy.  
Anna Arata, Italy.  
Eugenio Marciani, Italy.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of John B. Lavezzo, Adalina Lavezzo, Anna Arata and Eugenio Marciani, and each of them, in and to the estate of Joseph Lavezzo, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: November 30, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-19764; Filed, December 11, 1943;  
10:23 a. m.]

#### OFFICE OF DEFENSE TRANSPORTATION.

[Rev. ODT 3, Supp. Order 121]

#### COMMON CARRIERS

HOUSEHOLD GOODS MOTOR CARRIERS,  
NEWBURGH, N. Y.

Upon consideration of the application for authority to coordinate motor vehicle service in the transportation of household goods, filed with the Office of Defense Transportation by the motor carriers named in the appendix hereof, as

governed by § 501.9 of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582), and good cause appearing therefor; *It is hereby ordered, That:*

1. The carriers and each of them, named in the Appendix hereof (hereinafter collectively called "carriers"), respectively, in the transportation of shipments of household goods as common carriers by motor vehicle, shall establish an office (hereinafter referred to as "registration office") at Newburgh, New York, to facilitate the movement of such shipments, in the following manner:

(a) Each carrier shall register with the registration office shipments which the carrier may be unable to transport by reason of the restrictions contained in General Order ODT 3, Revised, as amended;

(b) Each carrier shall register with the registration office all empty or partially loaded equipment for which the carrier has no shipments available;

(c) The manager or employees of the registration office shall advise the carriers as to shipments registered and empty equipment or the unloaded space therein which is available: *Provided*, That nothing herein contained shall be construed to authorize the manager or any employee of the registration office to dispatch equipment, direct traffic, or exercise any supervision or control over the movement of any shipment, or part thereof, in any manner whatsoever;

(d) The manager of the registration office, and each carrier, shall prepare and maintain such records, and make such reports, as the Office of Defense Transportation may prescribe, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942. Such records shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation; and

(e) The cost of maintaining the registration office shall be apportioned among the carriers as they shall agree on, or in the event the carriers are unable to agree thereon, shall be apportioned as the Office of Defense Transportation shall determine and direct.

2. Shipments exchanged pursuant to this order shall be exchanged in accordance with the following conditions:

(a) All shipments shall be transported to point of destination on the bill of lading of the carrier with whom the shipper entered into the contract of carriage;

(b) Except as may be otherwise provided by agreement between the interested carriers or prescribed by the Interstate Commerce Commission or by an appropriate State regulatory body, the division of revenue derived from transportation of a shipment exchanged, and from storage in transit, packing and unpacking, and other accessorial services pertaining thereto, shall be as determined and directed by the Office of Defense Transportation;

(c) The rates and charges applicable to the transportation, storage in transit,



packing and unpacking, and other accessorial services performed in respect of any shipment shall be the lawfully applicable rates and charges of the carrier with whom the shipper entered into the contract of carriage;

(d) The duties and obligations of the originating carrier to the shipper shall not be altered by an exchange made pursuant hereto; and

(e) The carriers shall not exchange shipments with each other except as provided herein.

3. Any common carrier by motor vehicle, duly authorized or permitted to engage in the transportation of household goods, and having suitable equipment and facilities therefor, may make application in writing to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C., for authorization to participate in the functioning of the registration office established pursuant hereto. A copy of every such application shall be served upon the manager of the registration office. Upon receiving such authorization, such carrier shall become subject to this order and shall thereupon be entitled and required to participate in the functioning of the registration office in accordance with all the provisions and conditions of this order, in the same manner and degree as the carriers named in the appendix hereof.

4. Nothing contained in this order shall be so construed or applied as to relieve any carrier subject hereto from registering with joint information offices and obtaining clearance certificates as provided in General Order ODT 13, as amended (7 F.R. 5066, 5678), or required by any other General Order, or as to relieve any carrier from any other requirements of the Office of Defense Transportation, or from any other regulatory or legal requirement, or as to require or permit any carrier to perform any transportation service not authorized or sanctioned by law, or to render any service beyond its transportation capacity, or to alter its legal liability to any shipper or other carrier.

5. Each carrier subject to this order engaged in interstate transportation shall file a copy of this order with the Interstate Commerce Commission, and, if engaged in intrastate commerce, shall file a copy hereof with each appropriate State regulatory body having jurisdiction over any operations affected hereby.

6. Contractual arrangements made by the carriers to effectuate the terms of this order shall not extend beyond the effective period of this order.

7. Communications concerning this order should refer to "Supplementary Order ODT 3, Revised-121", and unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This supplementary order shall become effective on December 14, 1943, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 10th day of December 1943.

JOSEPH B. EASTMAN,  
Director,  
Office of Defense Transportation.

#### APPENDIX

1. Finnegan's Ex. & Stg., Inc., Newburgh, N. Y.
2. Eughine Moving & Storage, Poughkeepsie, N. Y.
3. A. M. Kennedy Transportation Co., Millbrook, N. Y.
4. White Brothers, Wappingers Falls, N. Y.
5. Roe Movers, Poughkeepsie, N. Y.
6. Styles Express, Cottekill, N. Y.
7. John T. Groves, Port Ewen, N. Y.
8. Kingston Transfer Co., Inc., Kingston, N. Y.
9. Smith Ave. Storage Warehouse, Inc., Kingston, N. Y.
10. Frank X. Birres, Poughkeepsie, N. Y.
11. Weston Transfer Company, Inc., Newburgh, N. Y.
12. Liner Express, Newburgh, N. Y.
13. Frank M. Johnson's Sons, Newburgh, N. Y.
14. C. C. Ingersoll, Peekskill, N. Y.

[F. R. Doc. 43-19824; Filed, December 13, 1943; 10:38 a. m.]

[Rev. ODT 3, Supp. Order 129]

#### COMMON CARRIERS

#### COORDINATED OPERATIONS BETWEEN DALLAS, TEX., AND OKLAHOMA CITY, OKLA.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by Gillette Motor Transport, Inc., Dallas, Texas, and W. A. Johnson, doing business as Johnson Motor Lines, Fort Worth, Texas, to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582) a copy of which plan is attached hereto as Appendix 1,<sup>1</sup> and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be neces-

sary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to "Supplementary Order ODT 3, Revised-129," and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective December 17, 1943, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 13th day of December 1943.

JOSEPH B. EASTMAN,  
Director,  
Office of Defense Transportation.

[F. R. Doc. 43-19822; Filed, December 13, 1943; 10:38 a. m.]

<sup>1</sup> Filed as part of the original document.



[Rev. ODT 3, Supp. Order 130]

## COMMON CARRIERS

## COORDINATED OPERATIONS BETWEEN CHICAGO, ILL., AND ELKHART, IND.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the carriers named in Appendix 1 hereof, to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582), a copy of which plan is attached hereto as Appendix 2,<sup>1</sup> and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appro-

priate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to "Supplementary Order ODT 3, Revised 130," and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective December 17, 1943, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 13th day of December 1943.

JOSEPH B. EASTMAN,

Director,

Office of Defense Transportation.

## APPENDIX 1

## NAMES OF CARRIERS

1. Co-Ordinated Transport, Inc. (a corporation), 1131-1149 W. Polk Street, Chicago, Ill.
2. Days Transfer, Inc. (a corporation), 730 East Beardsley Avenue, Elkhart, Ind.
3. George F. Drummey (an individual), doing business as Drummey Cartage Company, 412 East Tut Street, South Bend, Ind.
4. F & S Transit Company, Inc. (a corporation), 2025 South Main Street, South Bend, Ind.
5. Fitterling Transportation Co., Inc. (a corporation), 430 South Carroll Street, South Bend, Ind.
6. Mercury Motorways, Inc. (a corporation), 1309 Miami Street, South Bend, Ind.
7. The Norwalk Truck Line Company (a corporation), 30 Woodlawn Street, Norwalk, Ohio.
8. Short Line Express Company, Inc. (a corporation), 2331 South Main Street, South Bend, Ind.
9. Tucker Freight Lines, Inc. (a corporation), 850 South Fellows Street, South Bend, Ind.

[F. R. Doc. 43-19821; Filed, December 13, 1943; 10:38 a. m.]

[Rev. ODT 3, Supp. Order 131]

## COMMON CARRIERS

## COORDINATED OPERATIONS BETWEEN CINCINNATI, OHIO, AND POINTS IN KENTUCKY

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by Ziffirin Truck Lines,

Inc., Indianapolis, Indiana, Union Transfer & Storage Co., Inc., Lexington, Kentucky, and Threlkeld Express, Inc., Owenton, Kentucky, to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582), a copy of which plan is attached hereto as Appendix 1,<sup>1</sup> and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall

<sup>1</sup>Filed as part of the original document.



be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to "Supplementary Order ODT 3, Revised-131," and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective December 17, 1943, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 13th day of December 1943.

JOSEPH B. EASTMAN,  
Director,

Office of Defense Transportation.

[F. R. Doc. 43-19820; Filed, December 13, 1943;  
10:38 a. m.]

[ODT 6A, Supp. Order 12]

#### COMMON CARRIERS

##### COORDINATED OPERATIONS IN TACOMA, WASH., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 6A, (8 F.R. 8757, 14582) a copy of which plan is attached hereto as Appendix 2,<sup>1</sup> and

It appearing that the proposed coordination is necessary in order to conserve and providently utilize vital transportation equipment, materials and supplies; and to provide for the continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved and the persons named in Appendix 1 hereof are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order,

tariffs or schedules, or supplements to filed tariffs or schedules, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or schedules, or supplements, to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to "Supplementary Order ODT 6A-12" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective December 17, 1943, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 13th day of December 1943.

JOSEPH B. EASTMAN,  
Director,

Office of Defense Transportation.

#### APPENDIX 1

All participants are addressed at 523 Puyallup Ave., Tacoma, Washington.

Tacoma-Seattle Distributing Co.  
Mountain Road Auto Freight Co.  
Tacoma-Port Angeles Auto Freight Co.  
Interurban Auto Freight Co.  
Stalcup Auto Freight Co.  
Therkelsen Auto Freight Co.  
Lowrie Transfer Co.

[F. R. Doc. 43-19819; Filed, December 13, 1943;  
10:37 a. m.]

[ODT 6A, Supp. Order 13]

#### COMMON CARRIERS

##### COORDINATED OPERATIONS IN JOPLIN, MO., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 6A, (8 F.R. 8757, 14582) a copy of which plan is attached hereto as Appendix 2,<sup>1</sup> and

It appearing that the proposed coordination is necessary in order to conserve and providently utilize vital transportation equipment, materials and supplies; and to provide for the continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved and the persons named in Appendix 1 hereof are directed to is hereby approved and the persons named in Appendix 1 hereof are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or schedules, or supplements to filed tariffs or schedules, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or schedules, or supplements, to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation

<sup>1</sup> Filed as part of the original document.



of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to "Supplementary Order ODT 6A-13" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective December 17, 1943, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 13th day of December 1943.

JOSEPH B. EASTMAN,  
Director,

Office of Defense Transportation.

#### APPENDIX 1

1. Frisco Transportation Co. (a corporation), 10th & Main, Joplin, Mo.
2. Campbell "66" Express, Inc. (a corporation), 417 E. 12th, Joplin, Mo.
3. Powell Brothers Truck Lines, Inc. (a corporation), 615 E. 5th, Joplin, Mo.
4. Harvey Jones (an individual), doing business as Jones Truck Line, 615 Michigan, Joplin, Mo.
5. Yellow Transit Co. (a corporation), 615 Michigan, Joplin, Mo.
6. Railway Express Co. (a corporation), 112 E. 6th, Joplin, Mo.
7. Tri-State Motor Transport, Inc. (a corporation), 1601 W. Fourth, Joplin, Mo.
8. Sunflower Lines, Inc. (a corporation), 1027 Virginia, Joplin, Mo.
9. Joplin Transfer & Storage, 507 E. 5th, Joplin, Mo.
10. Marlatt Transfer & Storage, 522 Virginia, Joplin, Mo.
11. Clarence Wilson (an individual), doing business as Wilson Transfer Co., 708 Pennsylvania, Joplin, Mo.
12. Bert Howerton (an individual), doing business as Noel Transfer, Noel, Mo.
13. General Truck & Terminal Corporation, 215 E. 7th, Joplin, Mo.
14. W. E. Smith and Lee R. Smith, doing business as Smith Truck Line, Cassville, Mo.
15. W. G. Burgess (an individual), doing business as Reliable Motor Freight Line, Tulsa, Okla.

16. Consolidated Forwarding Co., Inc., St. Louis, Mo.
17. The Santa Fe Trail Transportation Co., Wichita, Kans.
18. Brashears Freight Lines, Inc., St. Louis, Mo.
19. Riss & Company, Inc., Kansas City, Mo.

[F. R. Doc. 43-19823; Filed, December 13, 1943; 10:37 a. m.]

### OFFICE OF PRICE ADMINISTRATION.

#### Regional and District Office Orders.

[Region I Order G-31, Under 18 (c)]

#### FIREWOOD IN RHODE ISLAND

Order No. G-31 under section 18 (c) of the General Maximum Price Regulation. Firewood in Rhode Island.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by section 18 (c) of the General Maximum Price Regulation, as amended by Amendment 33, *It is hereby ordered:*

(a) For firewood sold and delivered in the State of Rhode Island the maximum prices established by §1499.2 of the General Maximum Price Regulation are modified so that the maximum prices for firewood sold and delivered therein shall be the prices (in dollars and cents) specified in paragraph (c) of this order.

(b) The price limitations set forth in this order shall not be evaded, either by direct or indirect methods in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or

relating to firewood, alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge or discount, premium or other privilege, or by tying-agreement or other trade understanding or otherwise. Specifically, without limiting the generality of the foregoing, the following practices are forbidden:

(1) No seller shall require as a condition of any sale or delivery of such wood that the buyer use the services of the seller in carrying, stacking or piling the purchased wood on the premises of the buyer.

(2) No seller shall increase prices by any charge for the extension of credit, or by any decrease in the time customarily allowed for payment.

(c) (1) For the purposes of this order, the localities in the State of Rhode Island have been allocated among three zones, as defined below, and the maximum prices for firewood sold and delivered in the localities in each zone shall be as set forth in Tables I and II. The zones in which physical possession of the firewood passes to the buyer, shall govern the prices for any particular sale. Prices "in woods" and "at roadside" shall apply to all such sales whether to the ultimate consumer or otherwise. Prices "delivered at retailer's yard" and "delivered to consumer's premises" shall apply only to sales to the ultimate consumer. Prices for fractional parts of a cord shall be computed at the applicable percentage of the full cord price. Where prices are established per "two-bushel basket" the basket must be level full when well shaken down.

TABLE I.—MAXIMUM PRICES OF FIRST QUALITY FIREWOOD AS DEFINED IN PARAGRAPH (d)

Zone	In woods	At roadside		Delivered at retailer's yard		Delivered to consumer's premises		
	Per cord in 4 ft. lengths	Per cord in 4 ft. lengths	Per cut-up cord	Per cord in 4 ft. lengths	Per cut-up cord	Per cord in 4 ft. lengths	Per cut-up cord	Per two-bushel basket
A.....	\$9.00	\$11.00	\$12.50	\$14.50	\$17.00	\$17.50	\$19.00	\$0.50
B.....	9.00	11.00	12.50	14.00	16.00	16.00	17.50	.60
C.....	9.00	11.00	12.50	17.00	19.00	20.00	21.50	.60

TABLE II.—MAXIMUM PRICES OF SECOND QUALITY FIREWOOD AS DEFINED IN PARAGRAPH (d)

Zone	In woods	At roadside		Delivered at retailer's yard		Delivered to consumer's premises		
	Per cord in 4 ft. lengths	Per cord in 4 ft. lengths	Per cut-up cord	Per cord in 4 ft. lengths	Per cut-up cord	Per cord in 4 ft. lengths	Per cut-up cord	Per two-bushel basket
A.....	\$8.00	\$10.00	\$11.50	\$13.50	\$16.00	\$16.50	\$18.00	\$0.50
B.....	8.00	10.00	11.50	13.00	15.00	15.00	16.50	.50
C.....	8.00	10.00	11.50	16.00	18.00	19.00	20.50	.50

(2) Zones A, B, and C are hereby established comprising the cities and towns specified for each such zone as follows:

Zone A: The cities of Central Falls, Cranston, Pawtucket, and Providence, and the Town of East Providence.

Zone B: All that area of the State of Rhode Island not comprised in Zones A and C as herein defined.

Zone C: The City of Newport, and the Towns of Jamestown, Middletown, New Shoreham, and Portsmouth.

(d) (1) When used in this order, "firewood" shall mean any wood not less than two inches in diameter, sold for

consumption as fuel, provided it shall be composed of sound wood with no decay;

(2) "First quality firewood" shall mean hardwood firewood consisting solely of oak, maple, ash, beech, birch, hickory, apple, or mixtures of the same;

(3) "Second quality firewood" shall mean firewood containing any hardwood not named in sub-paragraph (2), or any softwood;

(4) "Cord" shall mean the Rhode Island statutory unit of standard cord measure, and shall measure in quantity equal to a cord of 8 feet in length, 4 feet in width and 4 feet in height, including



one-half of the kerf, and be well stowed and closely laid together;

(5) "Cut-up cord" shall mean the amount of 24-inch, 16-inch, or 12-inch firewood cut from a standard cord of four-foot wood, provided that a cut-up cord of 24-inch, 16-inch, or 12-inch wood shall measure no less than 8 feet in length, 4 feet in width, and 3½ feet in height, when compactly stacked;

(6) "Delivered to consumer's premises" shall mean deposited but not stacked in the dooryard or at any other point on the outdoor premises designated by the buyer; and

(7) Unless the context otherwise requires, the definitions set forth in section 20 of the General Maximum Price Regulation shall apply to the terms used herein.

(e) Any seller of firewood subject to this order shall cause a certificate (a sales slip or memorandum) to be issued and delivered to the purchaser or his agent at the time of delivery of the wood, which shall show:

(1) The date of the sale.

(2) The names and addresses of the buyer and seller.

(3) The quantity of firewood sold.

(4) The total price of the wood.

(f) On and after its effective date, this order shall supersede Rhode Island Price Order No. 1 issued October 15, 1942, as to all sales or deliveries for which maximum prices are fixed by this order.

(g) This order may be revoked, amended, or corrected at any time.

(h) This order shall become effective November 27th, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 27th day of November 1943.

K. B. BACKMAN,  
Regional Administrator.

[F. R. Doc. 43-19731; Filed, December 10, 1943; 12:59 p. m.]

[Region VIII Order G-2 Under 3 (c)]

#### HARD CANDY IN WASHINGTON, NEVADA AND CALIFORNIA

Order No. G-2 under § 1499.3 (c) of the General Maximum Price Regulation. Order establishing maximum prices for imported hard candy sold by wholesalers in certain parts of Region VIII.

For the reasons set forth in an opinion issued simultaneously herewith and under authority vested in the Regional Administrator of the Office of Price Administration by § 1499.3 (c) of the General Maximum Price Regulation; It is hereby ordered:

(a) The maximum price at which wholesalers located in "certain parts of Region VIII", who are unable to determine a maximum price pursuant to § 1499.2 or § 1499.3 (a) of the General Maximum Price Regulation, may sell imported hard candy, shall be 37¢ per pound, f. o. b. place of business.

(b) The term "certain parts of Region VIII" as herein used means: The states of Washington, Nevada and Cali-

fornia, except the counties of Inyo, Kern, Los Angeles, Orange, Riverside, San Bernardino, San Luis Obispo, Santa Barbara and Ventura; Oregon, except Malheur and Harney Counties, and Arizona, except those portions of Coconino County and Mohave County lying North of the Colorado River, and the following counties in the State of Idaho; Benewah, Bonner, Boundary, Clearwater, Kootenai, Latah, Lewis, Nez Perce, Shoshone, and Idaho.

(c) The term "Imported hard candy" as used herein shall have the meaning of such term as defined in Amendment 59 to Revised Supplementary Regulation 14, issued November 24, 1943.

(d) This order shall become effective December 2, 1943, and shall be in effect until December 27, 1943. It shall apply to all sales and deliveries and offers to sell, whether heretofore or hereafter made of the above described commodity by the aforesaid persons.

(e) This order shall be subject to revocation or amendment at any time hereafter either by special order or by any price regulation issued hereafter or by any supplement or amendment hereafter issued as to any price regulation, the provisions of which may be contrary hereto.

That portion of Solano County not contained within the Sacramento Marketing Area and the city of Vallejo, including the area within ten miles of the city limits.

Not less than	Wholesale delivered		Retail store		Retail home delivered	
	3.5% milk fat	4.2% milk fat	3.5% milk fat	4.2% milk fat	3.5% milk fat	4.2% milk fat
Half-gallon.....	\$0.265	\$0.285	\$0.30	\$0.32	\$0.32	\$0.34
Quart.....	.1325	.1425	.15	.16	.16	.17
Pint.....	.075	.0825	.085	.095	.095	.105
Half-pint.....	.042	.044				

NOTE: These maximum prices shall also apply for sales of milk to the armed forces by any seller whose plant is located in the city of Vallejo or the area within ten miles of the city limits.

The city of Vallejo and the area within ten miles of the city limits (except sales to the armed forces)

Not less than:	Wholesale delivered		Retail store		Retail home delivered	
	3.5% milk fat	4.2% milk fat	3.5% milk fat	4.2% milk fat	3.5% milk fat	4.2% milk fat
Half-gallon.....	\$0.245	\$0.265	\$0.28	\$0.30	\$0.30	\$0.32
Quart, glass.....	.1225	.1325	.14	.15	.15	.16
Quart, fibre.....	.1250	.1350	.14	.15	.15	.16
Pint.....	.075	.08	.08	.09		
Half-pint, glass.....	.042	.045				
Half-pint, fibre.....	.045	.0475				

(b) This order shall become effective December 6, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 3d day of December 1943.

L. F. GENTNER,  
Regional Administrator.

[F. R. Doc. 43-19725; Filed, December 10, 1943; 1:03 p. m.]

[Region VIII Order G-74 Under 18 (c), Amdt. 1]

#### APPLES AND PEARS IN STATE OF WASHINGTON

Amendment No. 1 to Order No. G-74 under § 1499.18 (c) as amended of the General Maximum Price Regulation.

(36 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

\* Issued this 27th day of November 1943.

L. F. GENTNER,  
Regional Administrator.

[F. R. Doc. 43-19724; Filed, December 10, 1943; 1:01 p. m.]

[Region VIII Order G-2 Under 18 (c), Amdt. 18]

#### FLUID MILK IN CALIFORNIA

Amendment No. 18 to Order No. G-2 under § 1499.18 (c) of the General Maximum Price Regulation, as amended. Fluid milk prices at wholesale and retail in certain localities in the State of California.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15, Order No. G-2 is hereby amended as set forth below:

(a) Schedule C is amended by striking out the heading "Solano County" and substituting therefor the following:

Cold storage of apples and cannery pears in the State of Washington.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c) as amended of the General Maximum Price Regulation, it is hereby ordered that Order No. G-74 under § 1499.18 (c) as amended of the General Maximum Price Regulation be amended in the following particulars.

Paragraph (a) is amended to read as follows:

(a) Maximum prices for the cold storage of apples, pears, and cannery apricots, peaches, prunes and plums, including handling in and out of ware-



house, in the State of Washington shall be determined as to each seller supplying the same service during the 1941-42 season by adding the amounts listed below to the highest prices of such seller for supplying such services to purchasers of the same class during the 1941-42 season:

Service:	Amount of increase
Cold storage of apples and pears other than cannery pears (box) —	\$0.05
Cold storage of cannery apricots, cannery peaches, cannery pears, cannery prunes and cannery plums (ton) —	1.65

Where the price of a seller during the 1941-42 season was on the basis of a single charge for the entire season or period of storage, the increase permitted above may be added to the seasonal charge of such seller. Where the price of the seller during the 1941-42 season was on the basis of a charge per month or other period shorter than the entire period of storage, the increase permitted above may be added only to the charge for the first period and no addition may be made to the charges for periods subsequent to the first period.

Paragraph (b) is amended to read as follows:

(b) Maximum prices for the cold storage of apples, pears, and cannery apricots, peaches, prunes and plums, including handling in and out of warehouse, in the State of Washington shall be as to each seller not supplying the same service during the 1941-42 season the maximum prices established under paragraph (a) hereof for the most closely competitive seller of the same class who supplied such service during the 1941-42 season.

This order shall become effective as of the beginning of the 1943-44 season.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 3d day of December 1943.

L. F. GENTNER,  
Regional Administrator.

[F. R. Doc. 43-19738; Filed, December 10, 1943; 1:03 p. m.]

[Region VIII Order G-77 Under 18 (c)]

#### ALFALFA MEAL IN SAN FRANCISCO REGION

Order No. G-77 under § 1499.18 (c), as amended, of the General Maximum Price Regulation. Adjusted maximum prices for sales of dehydrated alfalfa meal in Region VIII.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c), as amended, of the General Maximum Price Regulation, *It is hereby ordered:*

(a) The adjusted maximum price for sales of dehydrated alfalfa meal by a processor whose mill is located in Region VIII, f. o. b. mill, shall be as follows:

(1) For such sales in carload lots in bulk, the adjusted maximum price shall be as follows:

Type of meal	Adjusted maximum price per ton
Alfalfa leaf meal —	\$48.00
Alfalfa meal, not less than 17% protein content —	45.00
Alfalfa meal, 15%, but less than 17% protein content —	42.00
Alfalfa meal, less than 15% protein content —	39.00

(2) For such sales in less than carload lots in bulk to wholesalers, feed mixers, retailers, or feeders, the adjusted maximum price shall be as follows:

(i) Where such sales are made in any quantity to a wholesaler or a feed mixer, or in lots of five tons or more to any other buyer, add \$1.00 per ton to the prices specified in paragraph (a) (1) above.

(ii) For such sales of less than five tons to retailers or feeders, add \$1.50 per ton to the prices specified in paragraph (a) (1) above.

(3) For such sales in sacks, the adjusted maximum price shall be the prices as specified in paragraphs (a) (1) and (a) (2) above, plus the following additions:

(i) Where the sacks are provided by the seller, add an amount not to exceed the maximum prices of the sacks established therefor under any applicable Maximum Price Regulation issued heretofore or hereafter by the Office of Price Administration.

(ii) Where such sales are made in new or reclaimed sacks provided by the buyer, add \$0.50 per ton.

(iii) Where such sales are made in sacks of any other kind provided by the buyer, add \$1.00 per ton.

(b) The adjusted maximum delivered price for sales of dehydrated alfalfa meal by a jobber shall be the maximum price he lawfully might have paid the processor from whom the particular meal was purchased, f. o. b. the processor's mill, plus actual transportation costs from the mill where the meal was produced to the buyer's customary receiving point, plus \$1.00 per ton.

(c) The adjusted maximum price for sales of dehydrated alfalfa meal by a wholesaler, f. o. b. his place of business shall be the maximum price which he lawfully might have paid a jobber or a processor from whom the particular meal was purchased, plus \$2.50 per ton.

(d) The adjusted maximum price for sales of dehydrated alfalfa meal by a retailer shall be the maximum price he lawfully might have paid the processor, jobber, or wholesaler from whom the particular meal was purchased, plus \$5.00 per ton.

(e) *Definitions.* (1) "Processor" means any person who processes dehydrated alfalfa meal for sale.

(2) "Jobber" means any person who buys dehydrated alfalfa meal from a processor or another jobber for resale in unbroken lots.

(3) "Wholesaler" means any person who buys dehydrated alfalfa meal and unloads same into a warehouse and re-sells same to a retailer or to any other

person, including a feeder, in quantities of one ton or more. A processor shall not be deemed a wholesaler.

(4) "Retailer" means any person who buys dehydrated alfalfa meal and who sells same to a feeder in quantities of less than one ton.

(5) "Feeder" means any person who purchases dehydrated alfalfa meal for feeding to livestock or poultry.

(6) "Dehydrated alfalfa meal" means alfalfa meal produced from artificially dehydrated alfalfa hay.

(7) "Dehydrated alfalfa leaf meal" means dehydrated alfalfa meal with a minimum protein content of 20 percent.

(8) "Actual transportation costs" means the lowest available carrier rate for the shipment in question, not to exceed any maximum price therefor. No charges for storage, loading or unloading shall be included.

(9) "Region VIII" means the states of California, Washington, Nevada, Oregon, except Malheur and Harney Counties, and Arizona, except those portions of Coconino County and Mohave County lying North of the Colorado River; and the following counties in the state of Idaho: Benewah, Bonner, Boundary, Clearwater, Kootenai, Latah, Lewis, Nez Perce, Shoshone, and Idaho.

(f) *Applicability.* This order shall apply to all processors of alfalfa meal whose mills are located in Region VIII, regardless of the ultimate destination of the meal, and for all sales in Region VIII of dehydrated alfalfa meal, wherever produced.

(g) This order supersedes those provisions of all previous orders issued by the San Francisco Regional Office setting adjusted maximum prices for dehydrated alfalfa meal.

(h) This order may be revoked, amended or corrected at any time.

This order shall become effective December 5, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 1st day of December 1943.

L. F. GENTNER,  
Regional Administrator.

[F. R. Doc. 43-19730; Filed, December 10, 1943; 1:04 p. m.]

[Region III Order G-1 Under MPR 429]

#### REBUILT ELECTRICAL HOUSEHOLD APPLIANCES

Order No. G-1 under Maximum Price Regulation No. 429. Certain used consumer durable goods. Order adjusting maximum prices of certain rebuilt electrical household appliances.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Indianapolis District Office of the Office of Price Administration by section 10 of Maximum Price Regulation No. 429 and by Amendment No. 4 to Delegation Order No. 1A issued by the Regional Administrator of Region III, it is hereby ordered:



(a) *What this order does.* Pursuant to section 10 of Maximum Price Regulation No. 429, this order grants permission to sellers engaged in rebuilding or reconditioning and selling at retail certain essential items of used household electrical goods and appliances of which a serious shortage exists, to charge prices higher than the maximum prices prescribed by said regulation in instances where thorough rebuilding and reconditioning entails expenditures for labor and material so substantial in amount that sellers cannot reasonably be expected to properly rebuild or recondition such items for resale at maximum prices fixed by the regulation.

(b) *Items covered by this order.* Only household types of the following kinds of electrical goods and appliances are covered by this order:

Flat irons	Waffle irons
Toasters	Roasters
Hot plates	Clocks
Space heaters	Fans
Infant bottle warmers	Grills
Coffee makers	Broilers
Heating pads	

"Household types" mean small portable models designed for domestic use having a heating element not exceeding 1000 watts or motor unit requiring not in excess of 550 watts at 110 volts which are equipped with cord and plug for connection with ordinary residential power circuits and which had an established selling price when new of not in excess of \$20.00.

(c) *Thorough rebuilding or reconditioning required.* No items covered by this order shall be sold at the higher prices fixed by this order unless they have immediately prior to their being offered for sale, been thoroughly rebuilt or reconditioned. Thorough rebuilding or reconditioning shall include the following operations:

1. The heating element or motor shall be placed in a condition free from defects and tested under power to establish that its performance is substantially equivalent to that of the item when new. Broken or burned out elements shall be replaced with factory replacements or comparable new elements and not repaired by makeshift methods. Where the break is at terminal contact, however, it will be deemed sufficient if a durable new connection is made. All worn or missing motor parts must likewise be replaced.

2. All other worn, missing or defective parts necessary to proper use or operation shall be repaired or replaced.

3. Electric contact terminals on the appliance and cord must be placed in a clean condition, free from burns and corrosion.

4. Sole plates on flat irons or similar articles shall be free from rust and deep scratches.

5. A suitable extension cord meeting the requirements of the National Electric Code for the appliance is to be installed. This cord must be clean and in good condition throughout its entire length without electrical or insulating defects.

6. The article must be polished and present an unblemished appearance.

7. In the case of appliances incorporating an automatic heating or "on and off" control, they shall be tested for the proper functioning of the control in its various temperature or control ranges. If found defective and if it is impossible because of war shortages to replace the control, it may be short-circuited and the article will be deemed to be the same as a similar item without the automatic control feature.

(d) *Identification of merchandise and warranty required by seller.* Every item priced pursuant to this order must be plainly identified and the seller must deliver to the purchaser at the time of sale a written warranty that the article has been thoroughly rebuilt or reconditioned as required by this order and is free from defects which impair its operating efficiency and if not subjected to abuse, will give substantially the same performance as when new. This shall be accomplished by securely fixing to each item a tag on which is legibly printed or written the name and address of the seller, the selling price of the article, and the following language:

The price of this article is determined in accordance with Order No. G-1 under Sec. 10 of MPR 429 issued by the Indianapolis District Office of OPA. Before being offered for sale, it was thoroughly rebuilt and reconditioned as required by such order. It is warranted to be free from any defects impairing its operating efficiency and if not subjected to abuse, to give substantially the same performance as when new.

This tag must accompany the article when delivered to the purchaser.

(e) *Maximum price permitted by this order.* Items covered by this order where all the requirements of this order and Maximum Price Regulation No. 429 (except as herein modified) are met may be sold at retail to an ultimate user or consumer at not to exceed the following prices:

90% of the price of the "new article" determined in accordance with section 6 of Maximum Price Regulation 429, except that flat irons and toasters on which the price of the "new article" so determined is not less than \$2.00 nor more than \$5.00 may be sold for \$4.50 regardless of the ratio of such figure to price of the "new article."

The term "new article" and method of determining the price of the new article is explained in section 6 of Maximum Price Regulation No. 429.

(f) *Order permissive, not mandatory.* It is entirely optional with each seller whether or not he desires to avail himself of this order. Such option may be exercised or not at the seller's election with respect to each separate and individual article or appliance of the kind and type covered by this order. With respect to any individual article or appliance which the seller elects to price in accordance with this order, however, all requirements of this order must be fully performed.

(g) *Area in which this order is operative.* This order has application to all the territory within the jurisdiction of the Indianapolis District Office of the Office of Price Administration, being all the State of Indiana except Lake County.

(h) *Effect on MPR 429.* Except to the extent that a departure of the provisions of Maximum Price Regulation 429 is expressly permitted or required by this order, sellers shall comply with all of the terms and provisions of Maximum Price Regulation 429 as the same now exists or may at any time hereafter be amended.

(i) *Revocation.* This order may be revoked, amended or corrected at any time. It may be revoked as to any individual seller who has elected to avail himself of the benefits hereof and who is unable to establish to the satisfaction of the District Director after reasonable notice and opportunity to be heard that he has complied with the terms and conditions imposed in consideration of which the charging of prices higher than those fixed by Maximum Price Regulation 429 is permitted by this order.

This order shall become effective December 15, 1943.

(50 Stat. 23, 765; Pub. Law 131, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 4th day of December 1943.

KENNETH M. KUNKEL,  
Acting District Director.

[F. R. Doc. 43-19723; Filed, December 10, 1943; 12:59 p. m.]

[Region IV Gen. Order G-4 Under MPR 229, Amdt. 1]

#### FLUID MILK IN ATLANTA, GA.

Amendment No. 1 to General Order No. G-4 under Maximum Price Regulation No. 329. Purchases from producers for resale as fluid milk. Modification of certain prices in Region IV.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Atlanta Regional Office of the Office of Price Administration by § 1351.408 (b) and (c), of Maximum Price Regulation No. 329, as amended, it is hereby ordered that subsection (B) (2) (i) (d) be amended to read as set forth below:

(B) \* \* \*

(d) *Provided,* That any purchaser, whose maximum price to the producer under subsection (B) (1) is one established on the basis of butterfat test, may apply the butterfat content adjustment provisions of subsection (C) (2) to his maximum price for "milk" of 4% butterfat content established under subsection (B) (1); and further, any such purchaser who has, with respect to that producer, a maximum basic test price established for "milk" of a higher basic test than 4%, may treat such maximum price as his maximum price for 4% "milk" and apply the butterfat content adjustment provisions of subsection (C) (2) to such maximum base price.

*Example.* A purchaser who, under subsection (B) (1) has an established maximum price, for example, for 4.2% "milk" of \$3.75 per cwt., and who customarily used 4.2% as his basic test with an established differential, for illustrative purposes, of 3¢ above or below this price for each one-tenth of one percent butterfat variation in test has the option of



adopting this price of \$3.75 as his maximum price for 4% basic test "milk" and may apply thereto the differential for each one-tenth of one percent of variation in butterfat test above or below that figure, as provided in subsection (C) (2).

This Amendment shall become effective November 15, 1943.

(56 Stat. 23, 765; Pub. Laws 151, 78th Cong.; E.O. 9250, 7 F.R. 787 and E.O. 9328, 8 F.R. 4681)

Issued November 20, 1943.

JAMES C. DERIEUX,  
Regional Administrator.

Approved:

JAMES H. PALMER,  
Regional Director,  
Food Distribution  
Administration.

[F. R. Doc. 43-19733; Filed, December 10, 1943;  
12:59 p. m.]

[Region V Order G-6 Under 18 (c)]

#### FIREWOOD FOR THE ARMY AND NAVY AND DESIGNATED AREAS IN TEXAS

Order No. G-6 under section 18, paragraph (c) of the General Maximum Price Regulation. Maximum prices for firewood on sales to the Army and Navy and to the State of Texas or any of its political subdivisions in all counties in the State of Texas except in those counties comprising the Houston, Texas district.

For the reasons set forth in the opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of Region V of the Office of Price Administration by the Emergency Price Control Act of 1942, as amended, and by section 18, paragraph (c) of the General Maximum Price Regulation, as amended, it is hereby ordered:

(a) *Sales to the Army and Navy.* (1) Maximum per cord prices which may be charged or received on sales to the Army and Navy in the State of Texas, except in the area comprising the Houston District of the Office of Price Administration, are established to be as follows:

(i) The sum of the geographically applicable per cord wholesale price plus \$1.50 per cord, f. o. b. first rail shipping point, or if shipped by truck, f. o. b. last loading point before delivery to the purchaser.

(ii) If the Army and Navy purchase firewood for immediate delivery from a local dealer's yard, the maximum price on such sales for the first twenty-five cords sold by any one dealer in any annual quarter shall be the geographically applicable per cord retail price; the maximum price of any such dealer covered by this Order on any subsequent sale of firewood to the Army and Navy within that same annual quarter shall be the price as computed in paragraph (i) of this section.

<sup>1</sup> Maximum prices for the sale of firewood to the Army and Navy and the State of Texas or any of its political subdivisions, as well as maximum prices for all other sales of firewood, including sales by wholesalers, retailers, and truckers, are established for the counties comprising the Houston area in Order No. G-2 issued by the Regional Administrator for Region V and dated October 18, 1943.

(b) *Sales to the State of Texas or any of its political subdivisions.* (1) Maximum per cord prices which may be charged or received for firewood on sales in the State of Texas, except in the area comprising the Houston District of the Office of Price Administration, to the State of Texas or any of its political subdivisions, including but not limited to cities, towns, counties, school and road districts, are established to be as follows:

(i) The sum of the geographically applicable per cord wholesale price plus \$1.00 per cord, f. o. b. first rail shipping point, or if shipped by truck, f. o. b. last loading point before delivery to the purchaser.

(ii) If the State of Texas, or any of its political subdivisions, purchases firewood for immediate delivery from a local dealer's yard, the maximum price on such sales for the first twenty-five cords sold by any one dealer in any annual quarter shall be the geographically applicable per cord retail price; the maximum price of any such dealer covered by this order on any subsequent sale of firewood to the State of Texas, or any of its political subdivisions, within that same annual quarter shall be the price as computed in paragraph (i) of this section.

(c) *Terms of sale.* (1) In sales to the Army and Navy and to the State of Texas, or any of its political subdivisions, where the maximum price is computed by adding an amount to the geographically applicable wholesale price the terms of sale shall be as follows: The seller shall bear all costs of production and delivery to, and costs of loading on, the conveyance in which the firewood is to be moved to the point where it will be unloaded and delivered into the physical possession of the buyer.

(2) If the seller pays any portion of the transportation costs after the wood is loaded on the conveyance, as set out above, the seller may charge, in addition to the maximum price as set out hereinabove, a compensation for such transportation expenses which may not exceed a mileage charge identical with the carload rail rate or a reasonable approximation thereof for shipping the wood the particular extra distance involved.

(3) On sales of firewood to the Army and Navy and to the State of Texas, or any of its political subdivisions, where the maximum price is the geographically applicable retail price the terms of such sale shall include delivery to a point specified by the purchaser, except that if the purchaser accepts delivery at the dealer's premises or designates such premises as the place of delivery, the maximum per cord price shall be reduced by the actual amount paid by the purchaser for having such wood transported to the purchaser's premises.

(4) Prices as established by this order do not include the service of stacking.

(d) *Service charge for cutting.* (1) In any instance where a seller covered by this order sells wood over 24 inches in length and cuts it on order for the purchaser, the charge for this cutting shall be no more than the difference between the seller's maximum prices for wood

"24 inches or under" and wood "over 24 inches." If there is no difference in the seller's maximum prices for the different lengths of wood, he may make a flat charge of \$1.00 per cord for the cutting. No service charge for cutting shall be increased in relation to the number of times such wood is cut by the seller. The one service charge shall apply for any and all cutting done for the customer.

(e) Lower prices than those established by this order may be charged, offered, demanded or paid.

(f) *Definition.* (1) The definitions and meanings of terms used in this General Order No. G-6, except as set out below, shall be the same as those contained in § 1499.20, *Definitions*, of the General Maximum Price Regulation, as amended, and as supplemented or changed in any regulation or order subsequently issued by the Office of Price Administration and covering sales of firewood in the areas affected by this order.

(2) *Annual quarter.* (i) For the purposes of this order the calendar year is divided into four annual quarters consisting of first quarter, January, February and March; second quarter, April, May and June; third quarter, July, August and September; fourth quarter, October, November and December.

(3) *Sales to the Army and Navy.* (i) For the purposes of this order sales to the Army and Navy shall include sales of firewood to any branch or unit of the military forces of the United States Government.

(g) *Licensing and sales receipts.*—(1) *Licensing.* (i) A license to make sales of firewood is automatically granted to all persons covered by this order who now or hereafter make such sales. But the grant of this license to any person whose license heretofore granted by the Office of Price Administration is under suspension shall become effective for sales to which the suspension applies only at the end of the period of suspension.

(ii) A license granted hereby may be suspended in accordance with the provisions of the Emergency Price Control Act of 1942, as amended, for violations of the license or of one or more applicable maximum price regulations. The provisions of the General Maximum Price Regulation and all other such regulations are made a part of each license granted hereby, and a violation of any such provision is a violation of the license. A person whose license has been suspended may not during the period of suspension make any sale for which his license has been suspended.

(iii) Every license heretofore granted by the Office of Price Administration and in effect when this order becomes effective, is merged and continued in the license granted by this order. The former license no longer continues as a separate license. If the former license is suspended by a pending license suspension proceeding, the license granted by this order is suspended to the same extent. Proceedings to suspend a license granted hereby may be begun and maintained without a further warning notice to any person to whom a warning notice under a previous license was sent.



(iv) No license is required of, or granted to, a farmer as a condition of selling an agricultural commodity produced by him, to the United States, or to any agency thereof, or to any other government, its political subdivisions, or agencies.

(2) *Sales slips and receipts.* (i) Any seller covered by this order shall furnish the purchaser with a sales slip or receipt showing the date of sale, the seller's name and address, the name of the county in which the wood was felled, whether the wood is hardwood or softwood, the length of the wood, unit of sale, and the price per unit, except that in the case of sales at retail prices the seller need not identify the county in which the wood was felled.

(h) This order is subject to revocation or amendment by the Price Administrator at any time hereafter, either by special order or by any price regulation issued hereafter, or by any amendment or supplement hereafter issued as to any price regulation, the provisions of which may be contrary hereto.

(i) Except as specifically provided in this order the provisions of the General Maximum Price Regulation, as amended, are in no way affected and shall continue in full force and effect.

(j) In so far as this order establishes prices on sales to the Army and Navy and the State of Texas or its political subdivisions, the "Order of Modification of Maximum Prices Established by the General Maximum Price Regulation for Firewood sold at Wholesale and Retail in the State of Texas, as Amended," dated the 30th day of December, 1942, issued by the Regional Administrator of Region V is hereby revoked and superseded by the provisions of this General Order No. G-6.

This order shall become effective on the 6th day of December, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 1st day of December 1943.

MAX McCULLOUGH,  
Regional Administrator.

[F. R. Doc. 43-19734; Filed, December 10, 1943;  
1:07 p. m.]

[Region V Order G-7 Under 18 (c)]

#### FIREWOOD IN CERTAIN COUNTIES IN TEXAS

Order No. G-7 under section 18, paragraph (c), of the General Maximum Price Regulation. Maximum prices for firewood in certain counties of the Dallas, Texas and Fort Worth, Texas districts of the Office of Price Administration.

For the reasons set forth in the opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of Region V of the Office of Price Administration by the Emergency Price Control Act of 1942, as amended, and by section 18, paragraph (c) of the General Maximum Price Regulation, as amended, it is hereby ordered:

(a) Maximum wholesale for cord prices for sales of firewood in the Coun-

ties of Anderson, Cherokee, Dallas, Denton, Freestone, Henderson, Hood, Hopkins, Jack, Kaufman, Palo Pinto, Parker, Rains, Tarrant, Van Zandt, Wise and Wood shall be:

(1) Hardwood 24 inches or under.....	\$10.00
Hardwood over 24 inches.....	8.50
Softwood 24 inches or under.....	9.50
Softwood over 24 inches.....	8.00

(b) *Wholesale sale.* (1) A wholesale sale is any sale to a person purchasing for the purposes of resale and any sale to a commercial or industrial user.

(c) *Wholesale terms of sale.* (1) The wholesaler shall bear all costs of production and of delivery to and loading on the conveyance in which the firewood is to be moved to the retailer's city.

(2) If the wholesaler pays any portion of the transportation cost after the wood is loaded on to the conveyance as set out above, the purchaser may pay the wholesaler in addition to the wholesale price set out in paragraph (a) (1) of this order a compensation for such transportation expenses. Such compensation may not exceed a mileage charge identical with the carload rail rate or a reasonable approximation thereof for shipping the wood the particular distance involved.

(d) Maximum retail per cord prices for sales of firewood in Dallas County shall be:

(1) Hardwood 24 inches or under.....	\$15.00
Hardwood over 24 inches.....	13.25
Softwood 24 inches or under.....	14.50
Softwood over 24 inches.....	12.75

(e) Maximum retail per cord prices for sales of firewood in Tarrant County shall be:

(1) Hardwood 24 inches or under.....	\$15.75
Hardwood over 24 inches.....	14.00
Softwood 24 inches or under.....	15.25
Softwood over 24 inches.....	13.50

(f) Maximum retail per cord prices for sales of firewood in the Counties of Anderson, Cherokee, Denton, Freestone, Henderson, Hood, Hopkins, Jack, Kaufman, Palo Pinto, Parker, Rains, Van Zandt, Wise and Wood shall be:

(1) Hardwood 24 inches or under.....	\$11.00
Hardwood over 24 inches.....	9.50
Softwood 24 inches or under.....	10.50
Softwood over 24 inches.....	9.00

(g) Maximum retail prices for sales of firewood in quantities less than a cord in the Counties of Anderson, Cherokee, Dallas, Denton, Freestone, Henderson, Hood, Hopkins, Jack, Kaufman, Palo Pinto, Parker, Rains, Tarrant, Van Zandt, Wise and Wood shall be:

- (1) One-half of a cord: One-half the price of a cord, plus 25¢.
- (2) One-third of a cord: One-third the price of a cord, plus 50¢.
- (3) One-fourth of a cord: One-fourth the price of a cord, plus 50¢.
- (4) One-twelfth of a cord (sometimes known as a bundle): One-tenth the price of a cord.

(h) *Retail sale.* (1) A retail sale is any sale to an ultimate consumer other than an industrial or commercial user, the Army and Navy, the State of Texas or any of its political subdivisions, and other than sales by truckers.

(i) *Retail terms of sale.* (1) Prices for retail sales, as established in this Order, involving one or more cords, a half of a cord, a third of a cord, or a fourth of a cord, include delivery to the buyer's premises or a point designated by him; if the purchaser accepts delivery at the retailer's premises or designates such premises as the place of delivery the maximum retail prices established by this order shall be reduced by the actual amount paid by the purchaser for having such wood transported to his (the purchaser's) premises.

(2) Retail prices established in this Order do not include the service of stacking. When such service is supplied by the retailer he may demand and receive as extra compensation for this service an amount not exceeding 50¢ per cord and 25¢ per half cord; in sales involving quantities of less than one-half cord no extra charge for stacking shall be made even if this service is supplied by the retailer.

(j) Maximum per cord prices for sales of firewood by truckers in Dallas and Tarrant Counties shall be: (1) The sum of the geographically applicable retail per cord price less \$2.00.

(k) Maximum per cord prices for sales of firewood by truckers in the counties of Anderson, Cherokee, Denton, Freestone, Henderson, Hood, Hopkins, Jack, Kaufman, Palo Pinto, Parker, Rains, Van Zandt, Wise and Wood shall be: (1) The geographically applicable retail per cord price.

(l) Maximum prices for sales of firewood by truckers in quantities less than a cord in the Counties of Anderson, Cherokee, Dallas, Denton, Freestone, Henderson, Hood, Hopkins, Jack, Kaufman, Palo Pinto, Parker, Rains, Tarrant, Van Zandt, Wise and Wood shall be: (1) One-half cord: One-half the trucker's geographically applicable cord price plus 25¢.

(2) One-third cord: One-third the trucker's geographically applicable cord price plus 50¢.

(3) One-fourth cord: One-fourth the trucker's geographically applicable cord price plus 50¢.

(4) One-twelfth of a cord (sometimes known as a bundle): One-tenth the trucker's geographically applicable cord price.

(m) *Definition of trucker.* (1) A trucker is any seller who sells directly from a truck or other conveyance without first receiving and unloading the wood at a place of business established for the purposes of carrying on the business of selling firewood.

(2) If a seller makes a sale directly from a truck or other conveyance without first unloading it at his place of business, that seller, for the purposes of this order, shall be regarded as a trucker on such sales.

(3) A sale by a trucker to a commercial or industrial user or to a purchaser for resale shall be a sale at wholesale.

(n) Maximum per cord prices for sales of firewood to the Army and Navy and to the State of Texas or any of its political subdivisions in all of the counties covered by this order are established by Order No. G-6 Issued by the Regional



Administrator for Region V and Effective the 6th day of December 1943.

(c) *Maximum service charge for cutting.* (1) In any instance where the seller sells wood over 24 inches in length and cuts it on order for the purchaser, the charge for this cutting shall be no more than the difference between the seller's maximum prices for wood "24 inches or under" and wood "over 24 inches." If there is no difference in the seller's maximum prices for the different lengths of wood, he may make a flat charge of \$1.00 per cord for the cutting. No service charge for cutting shall be increased in relation to the number of times such wood is cut by the seller. The one service charge should apply for any and all cutting done for the customer.

(p) *Lower prices.* (1) Lower prices than those established herein for sales of firewood in the area covered by this order may be charged, offered, demanded or paid.

(q) *Licensing, posting and sales receipts—(1) Licensing.* (i) A license to make sales of firewood is automatically granted to all persons who now or hereafter make such sales. But the grant of this license to any person whose license heretofore granted by the Office of Price Administration is under suspension shall become effective for sales to which the suspension applies only at the end of the period of suspension.

(ii) A license granted hereby may be suspended in accordance with the provisions of the Emergency Price Control Act of 1942, as amended, for violations of the license or of one or more applicable maximum price regulations. The provisions of the General Maximum Price Regulation and all other such regulations are made a part of each license granted hereby, and a violation of any such provision is a violation of the license. A person whose license has been suspended may not during the period of suspension make any sale for which his license has been suspended.

(iii) Every license heretofore granted by the Office of Price Administration and in effect when this order becomes effective, is merged and continued in the license granted by this order. The former license no longer continues as a separate license. If the former license is suspended by a pending license suspension proceeding, the license granted by this order is suspended to the same extent. Proceedings to suspend a license granted hereby may be begun and maintained without a further warning notice to any person to whom a warning notice under a previous license was sent.

(iv) No license is required of, or granted to, a farmer as a condition of selling an agricultural commodity produced by him, the United States, or any agency thereof, or any other government, its political subdivisions or agencies.

(2) *Posting.* (i) Every retail seller of wood or trucker covered by this order shall post the maximum unit prices provided herein, covering all types and kinds of sales, in a place and manner prominent and conspicuous, with sufficient information to inform buyers of the maximum prices applying to his sales of

firewood, giving the length, types of wood and prices of each.

(3) *Sales slips and receipts.* (i) Any seller of firewood covered by this order who has customarily given a purchaser a sales slip, receipt or other similar evidence of purchase shall continue to do so.

(ii) Upon request from a purchaser any seller at retail, or any trucker; regardless of previous custom, shall give the purchaser a receipt showing the date of sale, the name and address of the seller, whether the wood is hardwood or softwood, the length of the wood, the unit of sale and the price per unit.

(iii) Upon request from a purchaser any seller at wholesale shall give the purchaser a sales slip or receipt showing the date of sale, the seller's name and address, the name of the county in which the wood was felled, whether the wood is hardwood or softwood, the length of the wood, the unit of sale and the price per unit.

(r) *Definitions—(1) Sale of firewood.* (i) A sale of firewood shall be the sale of any wood of the size and quality set forth in this order, provided such wood is sold for use as a fuel for heating or cooking, or to dealers who will resell such wood for such purposes. "Firewood" includes slabs cut from logs, but does not include off-fall from lumber, kindling, and rotted or decayed lumber.

(2) *Cord.* (i) A cord is a quantity of wood which would occupy 128 cubic feet if cut in four-foot lengths and stacked straight in a pile measuring 4 feet wide, 4 feet high and 8 feet long.

(ii) Any loss in volume resulting from cutting four-foot wood into shorter lengths shall be borne by the purchaser and not by the seller cutting wood.

(3) *Hardwood.* (i) Hardwood is wood cut from any of the following deciduous trees: Ash, Beech, Butternut, Cedar, Dogwood, Elm, Gum, Hackberry, Hard Maple, Hickory, Locust, Oak, Osage Orange, Sycamore, Walnut.

(ii) All other woods for the purposes of this order are to be considered "softwoods."

(s) In so far as this order establishes prices for sales of firewood in the counties of Anderson, Cherokee, Dallas, Denton, Freestone, Henderson, Hood, Hopkins, Jack, Kaufman, Palo Pinto, Parker, Rains, Tarrant, Van Zandt, Wise and Wood the "Order of Modification of Maximum Prices Established by the General Maximum Price Regulation for Firewood Sold at Wholesale and Retail in the State of Texas, as Amended," dated the 30th day of December, 1942, issued by the Regional Administrator for Region V, is revoked and superseded by the provisions of this General Order No. G-7.

(t) This order is subject to revocation or amendment by the Price Administrator at any time hereafter, either by special order or by any price regulation issued hereafter, or by any amendment or supplement hereafter issued as to any price regulation, the provisions of which may be contrary hereto.

(u) Except as specifically provided in this order the provisions of the General Maximum Price Regulation, as amended,

are in no way affected and shall continue in full force and effect.

This order shall become effective on the 6th day of December 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 1st day of December, 1943.

MAX McCULLOUGH,  
Regional Administrator.

[F. R. Doc. 43-19735; Filed, December 10, 1943;  
1:07 p. m.]

[Region VIII Order G-3 Under MPR 165,  
Amtd. 6]

#### LAUNDRY SERVICES IN LOS ANGELES, CALIF., AREA

Amendment No. 6 to Order No. G-3 under Maximum Price Regulation No. 165, as Amended. Services. Adjusted maximum prices for laundry services in the Los Angeles Area.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.114 (d) of Maximum Price Regulation No. 165, as amended, *It is hereby ordered*, That Order No. G-3 under that regulation be amended in the following particulars.

The following new paragraph is added:

(h) The adjusted maximum prices which any power laundry located in the Los Angeles area may charge for military flat work and wearing apparel, washed and returned finished ready for use, shall be the prices set forth in Appendix D.

This amendment shall become effective upon its issuance.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 3d day of December 1943.

L. F. GENTNER,  
Regional Administrator.

#### APPENDIX D

Adjusted maximum prices for military flat work and wearing apparel.

Sheets.....	\$0.05
Slips.....	.03
Mattress covers.....	.10
Blankets, single wool.....	.30
Comforters.....	.75
Aprons, white.....	.10
Cooks' coats, white.....	.20
Cooks' trousers, white.....	.22
Cooks' caps, net.....	.10
Cooks' caps, cover.....	.12
Bath towels.....	.03
Hand towels.....	.02
Mattresses cleaned and sterilized.....	1.50

[F. R. Doc. 43-19732; Filed, December 10, 1943;  
1:02 p. m.]

[Region VIII Order G-10 under MPR 165]

#### LAUNDRY SERVICES IN SEATTLE, WASH.

Order No. G-10 under Maximum Price Regulation No. 165, as amended. Services. Adjusted maximum prices which laundries in Seattle, Washington may charge for hotel flat work.



For the reasons set forth in an opinion issued simultaneously herewith and under authority vested in the Regional Administrator of the Office of Price Administration by § 1499.114 (d) of Maximum Price Regulation No. 165, as amended, *It is hereby ordered:*

(a) The adjusted maximum prices at which laundries located in Seattle, Washington may sell and supply hotel flat work shall be the particular laundry's list prices in effect during March 1942, less the following discounts:

Volume per week:	Rate
From \$0.00 To \$4.99	Net
5.00 9.99	15%
10.00 19.99	25%
20.00 29.99	35%
30.00 39.99	40%
40.00 59.99	45%
60.00 199.99	50%
200.00 and up	55%

(b) The term "hotel flat work" as used herein means flat work sold and supplied to hotels, rooming houses and rooming and boarding houses.

(c) This order may be revoked, amended, or corrected at any time.

This order shall become effective December 3d, 1943.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 3d day of December 1943.

L. F. GENTNER,  
Regional Administrator.

[F. R. Doc. 43-19737; Filed, December 10, 1943;  
1:02 p. m.]

[Region VIII Order G-1 Under MPR 188]

#### TILE IN SEATTLE, WASH.

Order No. G-1 under Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Adjusted maximum prices for sales of No. 1 common brick drain tile and concrete drain tile by certain persons in Region VIII.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.161 (a) (2) of Maximum Price Regulation No. 188 and § 1499.18 (c), as amended, of the General Maximum Price Regulation: *It is hereby ordered:*

(a) Subject to the conditions set forth in paragraph (e) below, the adjusted maximum prices at which the herein-after named manufacturers may deliver for a period of 120 days after the effective date of this order certain specified brick and drain tile products shall be determined as follows:

(1) To their present maximum prices for No. 1 common brick, Seattle Brick & Tile Company, 9th Street and Andover, Builders Brick Company, 3800 9th Street, and Abrahamson Brick Company, 5000 W. Marginal Way, Seattle, Washington, may add an amount not to exceed \$2.50 per M. to their present maximum prices for double brick, the above manufac-

turers may add an amount not to exceed \$5.00 per M.

(2) To its present maximum price for Class M sand lime brick Mutual Materials Company, 1200 8th Street, Seattle, Washington, may add an amount not to exceed \$2.50 per M.

(3) To their present maximum prices for 3", 4", 6", and 8" drain tile, fittings T-S and Y-S Seattle Brick & Tile Company, 9th Street and Andover, Builders Brick Company 3800-9th Street, Seattle, Washington, and Gladding McBean, & Company, 1500 First Avenue South, Seattle, Washington, for production at their Renton or Taylor plants may add an amount not to exceed 20 percent of their present maximum prices.

(4) To their present maximum prices for 3", 4", 6", and 8" concrete drain tile, fittings T-S and Y-S the Atlas Concrete Pipe Company, 4527-9th Avenue South, Graystone Concrete Products Company, 134 Nickerson Street, Seattle Concrete Pipe Company, 7401-8th Avenue South, and Nicholson Concrete Pipe Company, 316 W. Ewing Street, Seattle, Washington, may add an amount not to exceed 20 percent of their present maximum prices.

(b) The adjusted maximum prices at which any dealer located in Region VIII, who purchases any of the aforesaid products at the adjusted maximum prices set forth in paragraph (a) above, may resell said products shall be the particular dealer's present maximum prices plus increased dollars and cents amount which the dealer has paid his supplier pursuant to paragraph (a) above.

(c) All allowances, discounts, or other price differentials in effect during March, 1942 shall be maintained.

(d) This order may be amended, revoked, or corrected at any time.

(e) This Order No. G-1 is subject to the following conditions:

(1) Each of the manufacturers described in paragraph (a) with the exception of Gladding, McBean & Company electing to charge for any item the increased amount permitted by this order shall demonstrate to the Seattle District Office of the Office of Price Administration that the manufacturer has actually increased production of that particular item as follows:

(i) During the 30 day period immediately following the effective date of this order production of each of the items on which the higher price is charged has been increased by at least 10 percent over the average monthly production of the same item during the period of September 1 to November 15, 1943.

(ii) During the second 30 day period immediately following the effective date of this order production of each of the items on which the higher price is charged has been increased by at least 20 percent over the average monthly production of the same item during the period of September 1 to November 15, 1943.

(iii) During the third 30 day period immediately following the effective date of this order production of each of the items on which the higher price is charged has been increased by at least 30 percent over the average monthly

production of the same item during the period of September 1 to November 15, 1943.

(iv) If at the end of the 30 day periods mentioned in paragraphs (i)-(iii) the manufacturer has failed to increase his production as specified, the provisions of this order shall terminate as to him: *Provided however*, That such manufacturer may charge for a period of 15 days after the expiration of this order the adjusted maximum price provided in this order for items manufactured by him during the period prior to the termination of the order.

(v) For the purposes of this paragraph (e) (1) the commodities grouped in each of the sub-sections of paragraph (a) of this order shall be considered a separate "item", for example No. 1 common brick shall be one item—likewise, the following 3", 4", 6", and 8" drain tile, fittings, Y-S and T-S shall be grouped together and considered one item.

(vi) For the purposes of this section, Gladding, McBean & Company, 1500 First Avenue South, Seattle, Washington, shall use as its base production the average monthly production produced during the year 1941.

(2) The amount by which the manufacturer's maximum prices are increased pursuant to the provisions of paragraph (a) hereof shall be stated separately on the manufacturer's invoices with the notation:

Increase permitted by OPA to maintain supply.

In addition, each manufacturer availing himself of the temporary adjustment afforded by this order No. G-1 shall with each delivery at the adjusted price deliver to each dealer to whom he makes delivery at the adjusted price a written notification substantially as follows:

The OPA has granted a temporary adjustment in price to manufacturers of certain brick and drain tile products. The amount of the price increase is shown separately on the invoice. You are permitted to add the exact amount of the price increase to your existing maximum price provided you separately state the amount of the price increase on your invoice.

(3) Every thirty days during the existence of this Order No. G-1 each manufacturer described in paragraph (a) shall file in the Seattle District Office of the Office of Price Administration a production report showing separately the number of pieces of each item covered by this order produced during the 30 day period. In addition each manufacturer described in paragraph (a) shall within 10 days after the effective date of this order file with the Seattle District Office of the Office of Price Administration a report showing the total number of units of each of the items mentioned in paragraph (a) produced by him during the period from September 1 to November 15, 1943, inclusive.

(4) This order, as far as the persons mentioned in paragraph (a) above are concerned, expires 120 days after the date of issuance provided it does not expire earlier by virtue of the fact that



a manufacturer has failed to meet the conditions set forth in (e) (1).

(f) *Definitions.* (1) The term No. 1 Common brick and double brick shall not be construed to apply to the following kinds of brick—face, select, Alaska common, clinker, Class H common, or sewer.

(2) The term "Region VIII" as herein used means: The states of California, Washington, Nevada, Oregon, except Malheur and Harney Counties, and Arizona, except those portions of Coconino County and Mohave County lying North of the Colorado River; and the following counties in the State of Idaho: Benewah, Bonner, Boundary, Clearwater, Kootenai, Latah, Lewis, Nez Perce, Shoshone, and Idaho.

(g) All prayers of the persons mentioned in paragraph (a) above who have filed applications for adjustment covering these products, not hereby specifically granted, are hereby denied.

(h) To the extent to which the aforesaid applications have been denied each applicant may, within 15 days after the date on which this order is mailed to it, request the Price Administrator to review such order of denial in the manner provided by Revised Procedural Regulation No. 1.

This order shall become effective upon its issuance.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 3d day of December 1943.

L. F. GENTNER,  
Regional Administrator.

[F.R. Doc. 43-19722; Filed, December 10, 1943;  
1:03 p. m.]

[Region VIII Rev. Order G-8 Under MPR 280]

#### FLUID MILK IN CALIFORNIA

Revised Order No. G-8 under Maximum Price Regulation No. 280, as Amended. Maximum prices for specific food products. Sales of milk by handlers located in the State of California.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1351.817 (a) of Maximum Price Regulation No. 280, as amended, *It is hereby ordered*, That Order No. G-8 under Maximum Price Regulation No. 280 be amended and revised so as to read in its entirety as follows:

(a) The maximum price at which any "handler" located in the state of California may sell fluid milk to another "handler" for resale for human consumption as fluid milk is established to be as follows:

(1) For such sales of whole milk of less than 4.2% milk fat to any purchaser whose plant is located in Orange, Los Angeles, Riverside, or San Bernardino County, the maximum price shall be as follows:

(i) For such sales f. o. b. a seller's plant located in any of the counties named above: \$1.10 per pound milk fat,

(ii) For such sales by any seller from a plant located in any of the counties named above delivered to the purchaser's plant: \$1.10 per pound milk fat, plus the lowest available common or contract carrier rate from the seller's plant to the purchaser's plant.

(iii) For such sales by a seller from a plant not located in the counties named above delivered to the purchaser's plant: \$1.10 per pound milk fat.

(iv) For such sales by a seller from a plant not located in the counties named above f. o. b. seller's plant: \$1.10 per pound milk fat, minus the actual transportation rate paid from the seller's plant to the purchaser's plant.

(2) For such sales not covered by paragraph (a) (1) of whole milk of less than 4.2% milk fat by any seller whose plant is located in any of the localities listed below, the maximum price shall be as follows:

(i) For such sales f. o. b. seller's plant:

Location of plant:	Maximum price per pound milk fat
San Diego County.....	\$1.16
Imperial, Ventura Counties.....	1.09
Santa Barbara County—that portion east of the line beginning at the Pacific Ocean thence north along the range line between ranges 33 and 34 west to the line between townships 5 and 6 north, thence east along that line to the range line between ranges 32 and 33 west, thence north along that line to the line between townships 7 and 8 north, thence east along that line to the range line between ranges 31 and 32 west and thence north along that line to the San Luis Obispo County Line.....	1.09
Santa Barbara County—the remaining portion.....	.985
Kern County.....	1.015
San Luis Obispo, Kings, Tulare, Fresno, Madera, Merced, Stanislaus, Santa Cruz, Monterey, San Benito Counties.....	.985
Santa Clara County.....	1.00
San Mateo County—that portion lying east of the Skyline Boulevard.....	1.015
San Mateo County—that portion lying west of the Skyline Boulevard.....	1.025
San Francisco, Alameda, Contra Costa Counties.....	1.03
Solano County.....	1.02
Napa County.....	1.00
Sonoma County.....	.99
Marin County—that portion lying west of State Highway No. 1 and that portion lying north of the Point Reyes-Novato Highway.....	.98
Marin County—that portion lying east of State Highway No. 1 and south of the Point Reyes-Novato Highway.....	1.015
San Joaquin County—that portion lying east of the San Joaquin River.....	.985
San Joaquin County—that portion lying west of the San Joaquin River.....	.995
Sacramento County.....	1.00
Yolo County.....	.99
Colusa, Sutter, Yuba, Glenn, Butte Counties.....	.97
Tehama, Shasta Counties.....	.93

(ii) For such sales on a delivered basis there may be added to the maximum prices specified in paragraph (a) (2) (i)

above the lowest available common or contract carrier rate from the seller's plant to the purchaser's plant.

(3) For such sales of whole milk testing 4.2% milk fat or more, the maximum price shall be the price as specified in paragraph (a) (1) or (a) (2) above, minus one cent per pound milk fat.

(4) For such sales of skim milk the maximum price shall be as follows:

(i) For such sales to purchasers who purchased from that same seller during August 1943, the maximum price shall be the highest price which the particular seller charged such purchaser during August 1943.

(ii) For such sales to purchasers who did not purchase milk from the same seller during August 1943, the maximum price shall be the highest price which the seller charged any purchaser during August 1943.

(iii) For such sales by a seller who did not sell during August 1943, the maximum price shall be the highest price which the most similar competitive seller charged any purchaser during August 1943.

(b) *Definitions.* (1) "Fluid milk" means liquid cows' milk meeting the minimum health and sanitary requirements specified by state and local health agencies, which is purchased for resale for human consumption as fluid milk.

(2) "Handler" means any person who, on his own behalf or on behalf of others, purchases fluid milk from producers, associations of producers, or other handlers, and who sells such fluid milk at wholesale in bulk (other than in glass or paper containers), to any person, other than stores, hotels, restaurants and institutions.

(3) A "producer" is also a handler with respect to that fluid milk purchased by him from other producers, associations of producers, or other handlers, which fluid milk is sold by him at wholesale in bulk (other than in glass or paper containers), to any person, other than stores, hotels, restaurants and institutions.

(4) A "farmers' cooperative" is also a handler with respect to that fluid milk processed for it by operators of milk receiving or processing plants, and with respect to that fluid milk handled in physical facilities for receiving, processing or distributing fluid milk which are owned or leased by the cooperative, which fluid milk is sold by it at wholesale in bulk (other than in glass or paper containers), to any person, other than stores, hotels, restaurants, and institutions.

(c) *Evasion.* The price limitations of this order shall not be evaded by direct or indirect methods, by means of, or in connection with, any offer, solicitation, agreement, sale, delivery, purchase, or receipt of or relating to milk, alone or in conjunction with any other commodities, or by way of, or in connection with, any commission, service, transportation, or other charge or discount, premiums, or privilege, tying agreement, trade understanding, or change in any business trade practice.



(d) *Enforcement.* Purchasers violating any provision of this order are subject to the criminal penalties, civil enforcement actions, suits for treble damages, and proceedings for suspensions of licenses provided by the Emergency Price Control Act of 1942, as amended.

(e) Order No. G-6 under Maximum Price Regulation No. 280 is hereby revoked, effective December 1, 1943.

(f) This order may be revoked, amended or corrected at any time.

This revised order shall become effective December 1, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this first day of December 1943.

L. F. GENTNER,  
Regional Administrator.

[F. R. Doc. 43-19736; Filed, December 10, 1943;  
1:01 p. m.]

[Region VIII Order G-3 Under MPR 329, Corr.  
to Amdt. 1]

#### FLUID MILK IN CALIFORNIA

Correction to Amendment No. 1 to Order No. G-3 under Maximum Price Regulation No. 329 as Amended. Purchases of milk from producers for resale as fluid milk.

Amendment No. 1 to Order No. G-3 under Maximum Price Regulation No. 329 is hereby corrected in the following particulars:

The reference in paragraph (e) of Amendment No. 1 to "paragraph (b) (10)" of the order is corrected to read "paragraph (d) (10)".

The reference in paragraph (f) of Amendment No. 1 to "paragraph (b)" of the order is corrected to read "paragraph (d)".

This correction shall become effective as of May 29, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 4th day of December 1943.

L. F. GENTNER,  
Regional Administrator.

[F. R. Doc. 43-19728; Filed, December 10, 1943;  
1:00 p. m.]

[Region VIII Order G-3 Under MPR 329,  
Corr. 2 to Amdt. 3]

#### FLUID MILK IN CALIFORNIA

Correction No. 2 to Amendment No. 3 to Order No. G-3 under Maximum Price Regulation No. 329, as amended. Purchases of milk from producers for resale as fluid milk.

Paragraph (b) of Amendment No. 3 to Order No. G-3 under Maximum Price Regulation No. 329 is hereby corrected to read as follows:

(b) Sub-paragraph (a) (6) is hereby revoked.

This correction shall become effective as of October 14, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 4th day of December 1943.

L. F. GENTNER,  
Regional Administrator.

[F. R. Doc. 43-19729; Filed, December 10, 1943;  
1:01 p. m.]

[Region VIII Order G-2 Under MPR 376]

#### CARROTS IN SAN DIEGO COUNTY, CALIF.

Order No. G-2 under Maximum Price Regulation No. 376, as Amended. Certain fresh fruits and vegetables. Maximum price for sales of carrots in certain localities in the State of California.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by section 4 (c) of Maximum Price Regulation No. 376, as amended, *It is hereby ordered:*

(a) The adjusted maximum price for sales of carrots by any person selling to a retailer located in San Diego County shall be as follows:

(1) For sales of bunched carrots with full tops packed in Los Angeles crates containing at least 6 dozen bunches per crate, with a minimum net weight of 72 pounds: \$4.30 per crate.

(2) For sales of bunched carrots with full tops packed in any container other than a Los Angeles crate, with a minimum net weight of 12 pounds per dozen bunches: \$0.72 per dozen bunches.

(b) *Definitions.* (1) "Retailer" means any person who sells carrots to ultimate consumers.

(c) This order may be revoked, amended or corrected at any time.

This order shall become effective December 5, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 1st day of December 1943.

L. F. GENTNER,  
Regional Administrator.

[F. R. Doc. 43-19726; Filed, December 10, 1943;  
1:00 p. m.]

[Region VIII Order G-2 Under MPR 426.]

#### LETTUCE IN DESIGNATED AREAS

Order No. G-2 under Maximum Price Regulation No. 426, as amended. Fresh fruits and vegetables for table use, sales except at retail. Sales of lettuce in Region VIII.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by Section 2 (b) of Maximum Price Regulation No. 426, as amended, *it is hereby ordered:*

(a) The adjusted maximum price for sales of lettuce in less than carlot or less than trucklot quantities to any person except ultimate consumers shall be the sum of the following:

(1) The maximum price as determined under Maximum Price Regulation No. 426, as amended, for such sales and  
(2) The amount, if any, by which the freight from El Centro, California, to the wholesale receiving point exceeds the freight from Salinas, California, to such wholesale receiving point.

(b) *Definitions.* The terms used in this order shall have the same meaning as in Maximum Price Regulation No. 426, as amended, unless the context clearly requires otherwise.

(c) *Applicability.* This order applies to all sales pursuant to which the buyer receives physical delivery within the states of California, Washington, Nevada, Oregon, except the counties of Malheur and Harney, Arizona, except the portion of Coconino and Mohave Counties lying north of the Colorado River, and the following counties in the state of Idaho: Boundary, Bonner, Kootenai, Shoshone, Benewah, Latah, Clearwater, Nez Perce, Lewis, and Idaho.

(d) This order may be revoked, amended or corrected at any time.

This order shall become effective December 6, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 3d day of December 1943.

L. F. GENTNER,  
Regional Administrator.

[F. R. Doc. 43-19727; Filed, December 10, 1943;  
1:00 p. m.]

#### LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under General Order 51 were filed with the Division of the Federal Register on December 9, 1943.

##### REGION I

Massachusetts, Order No. 10, Amendment No. 5, Filed 2:14 p. m.  
Massachusetts, Order No. 11, Amendment No. 5, Filed 2:13 p. m.  
Massachusetts, Order No. 12, Amendment No. 4, Filed 2:14 p. m.

##### REGION II

Delaware, Order No. 7, Filed 2:23 p. m.  
District of Columbia, Order No. 7, Filed 12:42 p. m.  
Wilmington, Order No. 5, Amendment No. 1, Filed 2:23 p. m.

##### REGION III

Louisville, Order No. 1-F, Amendment No. 7, Filed 12:34 p. m.  
Louisville, Order No. 2-F, Amendment No. 1, Filed 12:34 p. m.  
Louisville, Sec. Rev. Order No. 3, Amendment No. 2, Filed 2:12 p. m.  
Louisville, Order No. 10, Amendment No. 1, Filed 2:12 p. m.  
Louisville, Order No. 11, Amendment No. 1, Filed 2:12 p. m.  
Louisville, Order No. 12, Filed 2:23 p. m.  
Louisville, Order No. 12, Amendment No. 1, Filed 2:14 p. m.  
Louisville, Order No. 13, Filed 2:16 p. m.

##### REGION IV

Atlanta, Order No. 1-F, Amendment No. 2, Filed 12:35 p. m.  
Atlanta, Order No. 2-F, Amendment No. 2, Filed 12:36 p. m.  
Atlanta, Order No. 3-F, Filed 12:37 p. m.



Charlotte, Order No. 10, Amendment No. 2, Filed 2:11 p. m.  
 Jackson, Order No. 7, Amendment No. 3, Filed 2:14 p. m.  
 Jackson, Order No. 8, Amendment No. 11, Filed 12:38 p. m.  
 Jackson, Order No. 6, Amendment No. 12, Filed 2:13 p. m.  
 Jackson, Order No. 1-F, Amendment No. 13, Filed 12:43 p. m.  
 Jacksonville, Order No. 5, Revocation Filed 12:39 p. m.  
 Jacksonville, Order No. 6, Revocation Filed 12:39 p. m.  
 Jacksonville, Order No. 7, Revocation Filed 12:39.  
 Jacksonville, Order No. 8, Revocation Filed 12:38 p. m.  
 Jacksonville, Order No. 9, Revocation Filed 12:38 p. m.  
 Jacksonville, Order No. 10, Revocation Filed 12:38 p. m.  
 Jacksonville, Order No. 14, Correction & Redesignation, Filed 2:11 p. m.  
 Jacksonville, Order No. 15, Correction & Redesignation, Filed 2:11 p. m.  
 Montgomery, Order No. 13, Amendment No. 4, Filed 2:11 p. m.  
 Nashville, Order No. 3-F, Filed 12:34 p. m.  
 South Carolina, Order No. 1-F, Amendment No. 10, Filed 12:41 p. m.  
 South Carolina, Order No. 2-F, Amendment No. 1, Filed 12:42 p. m.  
 South Carolina, Order No. 9, Amendment No. 1, Filed 2:11 p. m.  
 Tampa, Order No. 6, Revocation Filed 12:40 p. m.  
 Tampa, Order No. 7, Revocation, Filed 12:40 p. m.  
 Tampa, Order No. 8, Revocation, Filed 12:39 p. m.

## REGION VI

Green Bay, Order No. 12, Filed 2:09 p. m.

## REGION VII

Boise, Order No. 11, Amendment No. 1, Filed 2:09 p. m.  
 Boise, Order No. 12, Amendment No. 1, Filed 2:08 p. m.  
 Boise, Order No. 13, Amendment No. 1, Filed 2:03 p. m.  
 Boise, Order No. 14, Amendment No. 1, Filed 2:03 p. m.  
 Boise, Order No. 15, Amendment No. 1, Filed 12:43 p. m.  
 Boise, Order No. 16, Amendment No. 1, Filed 2:03 p. m.  
 New Mexico, Order No. F-1, Filed 12:35 p. m.  
 New Mexico, Order No. F-1, Amendment No. 1, Filed 12:34 p. m.

## REGION VIII

Phoenix, Rev. Order No. 3, Amendment No. 3, Filed 12:41 p. m.  
 Phoenix, Order No. 4, Amendment No. 4, Filed 12:40 p. m.  
 Phoenix, Order No. 6, Amendment No. 4, Filed 12:41 p. m.  
 Phoenix, Order No. 7, Amendment No. 2, Filed 12:37 p. m.  
 Phoenix, Order No. 7, Amendment No. 3, Filed 12:41 p. m.  
 Spokane, Order No. 6, Amendment No. 1, Filed 12:42 p. m.  
 Spokane, Order No. 7, Amendment No. 1, Filed 2:13 p. m.  
 Spokane, Order No. 8, Amendment No. 1, Filed 12:42 p. m.  
 Spokane, Order No. 9, Amendment No. 1, Filed 2:13 p. m.  
 Spokane, Order No. 10, Amendment No. 1, Filed 2:13 p. m.  
 Spokane, Order No. 11, Amendment No. 1, Filed 2:24 p. m.

Copies of these orders may be obtained from the issuing offices.

ERVIN H. POLLACK,  
 Secretary.

[F. R. Doc. 43-19805; Filed, December 11, 1943; 4:47 p. m.]

## RAILROAD RETIREMENT BOARD.

[Jurisdictional Docket No. 24]

## ERIE RAILROAD CO. AND SEABOARD TERMINAL AND REFRIGERATION CO.

## NOTICE OF HEARING

Creditability of service rendered under freight handling contracts between the Erie Railroad Company and the Seaboard Terminal and Refrigeration Company.

Pursuant to regulations under the Railroad Unemployment Insurance Act (45 U. S. C. 351-367), Part 319, § 319.42 et seq., the following order has been issued:

*Order Reopening Initial Determination on Creditability of Service Rendered Under Freight Handling Contracts Between the Erie Railroad Company and the Seaboard Terminal and Refrigeration Company, and Designating Examiner*

Whereas the General Counsel on August 7, 1943 issued an opinion, L-43-579 (Gen. Coun. Op. No. 1943 R. R. 28), holding (1) that individuals who are, or have been, engaged in the performance of service under agreements entered into July 31, 1926, May 22, 1929, and July 16, 1929, between the Erie Railroad Company and the Seaboard Terminal and Refrigeration Company covering the handling of Erie's freight at its Jersey City and Duane Street stations, are, and have been, subject to the continuing authority of the Erie Railroad Company to supervise and direct the manner of rendition of their service, which service they render for compensation, and therefore such individuals are, and have been, with respect to their service under the above-mentioned agreements, employees of the Erie Railroad Company under the Railroad Retirement Act and the Railroad Unemployment Insurance Act, and (2) that, even if it were assumed that such individuals did not render their contract service as "employees" of Erie, they would, nevertheless, be covered under the Acts with respect to such service, because in that event Seaboard itself would be an "employer" either as a carrier by railroad subject to Part I of the Interstate Commerce Act or as a company controlled by such a carrier and operating equipment and facilities and performing services in connection with railroad transportation; and

Whereas benefits under the Railroad Unemployment Insurance Act have been awarded to claimants upon the basis of pay earned in service under the above-mentioned agreements; and

Whereas neither the Erie Railroad Company nor the Seaboard Terminal and Refrigeration Company is complying with the provisions of the Railroad Unemployment Insurance Act, and the Erie Railroad Company, on October 20, 1943, notified the Executive Officer of the Board that it did not concur in the General Counsel's determination and the Seaboard Terminal and Refrigeration Company, through its counsel, has advised the General Counsel that it likewise did not concur in such determination;

Now, therefore, the General Counsel, pursuant to the authority vested in him by Part 319 of the regulations, orders and directs that:

(1) The General Counsel's determination of August 7, 1943, L-43-579 (Gen. Coun. Op. No. 1943 R. R. 28), be, and it hereby is, reopened for further consideration and proceedings in accordance with Part 319 of the regulations; and that

(2) For the conduct of such proceedings, Mr. Louis Turner is designated to serve as Examiner, with all powers, duties and functions accruing to such Examiner pursuant to such designation under Part 319 of the said regulations. The Examiner shall arrange for a hearing at the earliest date meeting the convenience of parties in interest, and shall notify all parties properly interest in any issue involved in the proceeding of their right to participate in the proceeding and to present evidence and argument.

JOSEPH H. FREEHILL,  
 General Counsel.

NOVEMBER 27, 1943.

Pursuant to the above order, notice is hereby given that a hearing will be held Monday, January 24, 1944, at 10:00 a. m., in Room 920, Morgan Annex Building, 341 Ninth Avenue, New York, New York, on the following questions:

(1) Have the individuals engaged in the performance of service under the agreements entered into July 31, 1926, May 22, 1929 and July 16, 1929 between the Erie Railroad Company and the Seaboard Terminal and Refrigeration Company covering the handling of Erie's freight at its Jersey City and Duane Street stations, been, and are they, with respect to such service employees of the Erie Railroad Company, within the meaning of the Railroad Unemployment Insurance Act;

(2) Has the Seaboard Terminal and Refrigeration Company ever been a carrier by railroad subject to Part I of the Interstate Commerce Act, within the meaning of section 1 (a) of the Railroad Unemployment Insurance Act;

(3) Has the Seaboard Terminal and Refrigeration Company ever been directly or indirectly owned or controlled by, or under common control with, one or more express companies, sleeping-car companies, or carriers by railroad, subject to Part I of the Interstate Commerce Act, within the meaning of Section 1 (a) of the Railroad Unemployment Insurance Act;

(4) Has the Seaboard Terminal and Refrigeration Company ever operated any equipment or facilities (other than casual equipment) or performed any service (other than trucking service or casual service) in connection with the transportation of passengers or property by railroad, or the receipt, delivery, elevation, transfer-in-transit, refrigeration or icing, storage or handling of property transported by railroad, within the meaning of section 1 (a) of the Railroad Unemployment Insurance Act?

The Erie Railroad Company, the Seaboard Terminal and Refrigeration Company, the individuals who have been awarded benefits on the basis of pay



earned in service under the above-mentioned agreements, and all other parties properly interested may participate in the hearing and will be afforded an opportunity to present evidence and to make arguments before the Examiner. The Board has been advised that a representative of the Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express and Station Employees will appear at the hearing and participate therein on behalf of its members employed under the agreements in question.

In preparation for, and in the conduct of, said hearing, the Examiner is authorized to require and compel the attendance of witnesses, administer oaths, take testimony and make all necessary investigations. A record will be kept of all evidence and argument presented, orally or in writing, at said hearing. The evidence presented orally will be under oath. The Examiner may require that copies of all exhibits admitted in evidence at the hearing be furnished by the party offering the same to all other parties participating or entering an appearance in the proceeding.

LOUIS TURNER,  
Examiner.

DECEMBER 9, 1943.

[F. R. Doc. 43-19812; Filed, December 13, 1943;  
10:13 a. m.]

#### SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 70-646, 59-63]

UTAH POWER & LIGHT CO., ET. AL

#### ORDER RELEASING JURISDICTION ON CERTAIN BOND PRICES

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 9th day of December, A. D., 1943.

In the matter of Utah Power & Light Company, Utah Light and Traction Company, the Western Colorado Power Company, File No. 70-646, and Electric Power & Light Corporation, Utah Power & Light Company, Utah Light and Traction Company, the Western Colorado Power Company, respondents, File No. 59-63.

The Commission having heretofore on November 29, 1943 issued its Order herein permitting to become effective a declaration of Utah Power & Light Company pursuant to section 7 of the Public Utility Holding Company Act of 1935 regarding the issue and sale at competitive bidding pursuant to Rule U-50 of \$42,000,000 aggregate principal amount of its First Mortgage Bonds, due 1968, subject to approval of the terms of the bond financing established by the competitive bidding; and

Said order permitting said declaration to become effective having been conditioned upon certain adjustments in the books of account of Utah Power & Light Company, Utah Light and Traction

Company and The Western Colorado Power Company; and

Utah Power & Light Company, having filed an amendment to its declaration herein which amendment specifies that said declarant has accepted the proposal of The First Boston Corporation, as representatives and on behalf of an underwriting group, to purchase said First Mortgage Bonds at a coupon rate of 3¾% for 99.1717% of the principal amount thereof, said bonds to be offered initially to the public by said underwriters at 100.625%; and

Testimony having been introduced in the reconvened hearing to the effect that the required accounting adjustments had been made prior to the competitive bidding; and

The Commission having examined said amendment and having considered the record herein, and having found that the price and spread as aforesaid and the redemption prices for said bonds are not unreasonable and having found that the conditions as to accounting adjustments imposed by the Commission's order as aforesaid had been complied with prior to the invitation of proposals at competitive bidding;

It is ordered, That the jurisdiction heretofore reserved with respect to the price for said bonds to be paid to the company, the price at which said bonds will be sold to the public, the allocation of the spread between such prices, and the redemption prices for said bonds be, and the same hereby is, released and the declaration be, and the same hereby is, declared effective forthwith for the purpose of permitting the sale of the bonds as aforesaid.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 43-19769; Filed, December 11, 1943;  
11:21 a. m.]

[File No. 70-797]

PUBLIC SERVICE COMPANY OF INDIANA, INC.  
AND BROOKVILLE ELECTRIC CO.

#### ORDER GRANTING JOINT APPLICATION-DECLARATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 9th day of December 1943.

Public Service Company of Indiana, Inc., a subsidiary of Hugh M. Morris, Trustee of the Estate of Midland United Company, a registered holding company, and Brookville Electric Company, a non-affiliated public utility company, having filed a joint application-declaration under the Public Utility Holding Company Act of 1935 concerning the proposed acquisition by Public Service Company of Indiana, Inc., for a cash consideration of \$160,000, of the entire capital stock of Brookville Electric Company, consisting of 300 shares of common stock, par value \$50 per share, and 50 shares of preferred stock having a par value of \$100 per share; the subsequent surrender by Public Service Company of Indiana,

Inc., to Brookville of such capital stocks and the payment or assumption of the liabilities of Brookville in consideration of the assets of Brookville; the retirement and cancellation of such stocks by Brookville; and thereupon the dissolution of Brookville; and

A public hearing having been held after appropriate notice, and the Commission having considered the record in these matters and having made and filed its Findings and Opinion herein;

It is ordered, That said joint application-declaration, as amended, be and hereby is, granted forthwith and permitted to become effective forthwith, subject, however, to the terms and conditions prescribed in Rule U-24 of the General Rules and Regulations promulgated under the Public Utility Holding Company Act of 1935 and to the following condition:

That Public Service Company of Indiana, Inc., credit to "Reserve for Possible Adjustment of Utility Plant and/or Depreciation Reserve" and charge to earned surplus an amount equal to the difference between the price paid for the stocks of Brookville Electric Company and the underlying book value thereof; such reserve to remain in the accounts of Public Service Company of Indiana, Inc., until a further order modifying, or otherwise affecting this condition, is issued by the Commission by its motion or upon application therefor by Public Service Company of Indiana, Inc.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 43-19770; Filed, December 11, 1943;  
11:21 a. m.]

[File No. 1-2635]

AMERICAN BOX BOARD COMPANY

#### ORDER GRANTING APPLICATION AND IMPOSING TERMS

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 10th day of December, A. D. 1943.

The American Box Board Company having filed an application, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 adopted thereunder, to withdraw its common stock from listing and registration on the New York Curb Exchange; a hearing having been held after appropriate notice, and the Commission being duly advised and having this day issued its findings and opinion herein;

On the basis of said findings and opinion and pursuant to section 12 (d) of said Act, It is hereby ordered, That said application be and hereby is granted, Provided, however, That withdrawal shall not become effective until ten days after the date of this order.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 43-19771; Filed, December 11, 1943;  
11:21 a. m.]



[File Nos. 70-684, 54-86]

THE TWIN STATE GAS & ELECTRIC CO., ET AL.  
ORDER REOPENING RECORD, RECONVENING  
HEARING, AND DESIGNATING NEW TRIAL  
EXAMINER

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 10th day of December, 1943.

In the matter of The Twin State Gas & Electric Company, Public Service Company of New Hampshire, Central Vermont Public Service Corporation, New England Public Service Company, File No. 70-684; The Twin State Gas & Electric Company, Central Vermont Public Service Corporation, New England Public Service Company, File No. 54-86.

The Commission having on September 29, 1943 ordered a hearing to be held on October 13, 1943, in the above entitled matters, and a hearing having been held pursuant to said order on October 13, and 14, 1943, and the record having been closed on October 14, 1943; and

Counsel for Public Utilities Division having requested that the record in this matter be reopened and that the hearing be reconvened for the purpose of adducing additional evidence and counsel for applicants and declarants having concurred in such request; and

It appearing to the Commission that it is appropriate to grant such request; and

It further appearing to the Commission that the trial examiner who has heretofore presided at the hearings in these proceedings will be unable to preside at the reconvened hearing;

It is hereby ordered, That the record in this matter be reopened and that the hearing therein be reconvened on December 14, 1943, at 10:00 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, in the room to be designated on said day by the hearing room clerk in Room 318.

It is further ordered, That Robert P. Reeder, an officer of the Commission, be, and he hereby is, designated to preside at such hearing in the place and stead of, and with the same powers and duties as the trial examiner heretofore designated to preside at such hearing.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 43-19808; Filed, December 13, 1943;  
9:54 a. m.]

[File 59-13]

STANDARD POWER AND LIGHT CORP.

NOTICE OF FILING OF APPLICATION FOR  
EXTENSION OF TIME AND ORDER FOR  
HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 11th day of December 1943.

The Commission having entered its order in the above styled and numbered proceeding on June 19, 1942, pursuant to section 11 (b) (2) of the Public Utility

Holding Company Act of 1935 directing Standard Power and Light Corporation to liquidate and terminate its existence, and to proceed with due diligence to file a plan for its prompt liquidation and the termination of its existence, in a manner consistent with the provisions of the act; and having entered its order on July 6, 1943, granting an additional period of six months from June 19, 1943, for Standard Power and Light Corporation to comply with the said order of June 19, 1942;

Notice is hereby given that on November 24, 1943, Standard Power and Light Corporation filed an application requesting the entry of an order by this Commission under section 11 (c) of the act granting an additional extension until June 19, 1944, of the time within which to comply with said order of June 19, 1942.

All-interested persons are referred to said application which is on file in the office of the Commission for full details concerning the contents thereof.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held for the purpose of considering said application and for other purposes;

It is ordered, That a hearing in this proceeding be held at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, at 10:00 a. m., e. w. t., on December 27, 1943, in such room as may be designated on such day by the hearing room clerk.

All persons desiring to be heard or otherwise wishing to participate should notify the Commission in the manner provided by the Commission's Rules of Practice, Rule XVII on or before December 24, 1943.

At said hearing there will be considered (1) whether Standard Power and Light Corporation has exercised due diligence in its efforts to comply with the Commission's order of June 19, 1942, and (2) whether an additional extension of time for compliance with said order is necessary or appropriate in the public interest or for the protection of investors or consumers.

It is further ordered, That Henry C. Lank or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing above ordered. The officers so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the Act and to a Trial Examiner under the Commission's Rules of Practice.

It is further ordered, That the Secretary of this Commission shall serve notice of this order by mailing a copy thereof by registered mail to Standard Power and Light Corporation and that notice shall be given to all other persons by publication thereof in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 43-19810; Filed, December 13, 1943;  
9:54 a. m.]

[File No. 811-37]

ALLIANCE INVESTMENT CORP.

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 11th day of December, A. D. 1943.

An application having been filed by Alliance Investment Corporation pursuant to section 8 (f) of the Investment Company Act of 1940 for an order declaring that the applicant has ceased to be an investment company within the meaning of said act;

It is ordered, Pursuant to section 40 (a) of said act, that a hearing on the aforesaid application be held on December 20, 1943, at 10:00 o'clock a. m., eastern war time in Room 318, Securities and Exchange Commission Building, 18th and Locust Streets, Philadelphia, Pennsylvania; and

It is further ordered, That Charles S. Lobingier, Esq., or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing. The officer so designated is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to trial examiners under the Commission's Rules of Practice.

Notice of such hearing is hereby given to the applicant and to any other persons whose participation in such proceeding may be in the public interest or for the protection of investors.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 43-19811; Filed, December 13, 1943;  
9:54 a. m.]

P. Z. KOHLER CO.

ORDER PERMITTING WITHDRAWAL FROM REGISTRATION AND DISMISSING PROCEEDING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 11th day of December, A. D. 1943.

In the matter of Philip Z. Kohler doing business as P. Z. Kohler Co., 9 Clinton Street, Newark, New Jersey.

Philip Z. Kohler, doing business as P. Z. Kohler Co., having filed with the Commission a notice to withdraw his registration as a broker-dealer, and the Commission having by order instituted proceedings pursuant to section 15 (b) of the Securities Exchange Act of 1934 to determine whether his registration should be revoked;

A hearing having been held after appropriate notice, and the Commission being fully advised and having this day issued its memorandum opinion herein;

On the basis of said memorandum opinion, It is hereby ordered, That said registrant's notice of withdrawal be and it hereby is permitted to become effective, and that the proceeding under sec-



tion 15 (b) of said act be and it hereby is dismissed.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 43-19809; Filed, December 13, 1943;  
9:54 a. m.]

[File Nos. 54-51, 59-67]

NATIONAL POWER AND LIGHT CO., ET AL.

ORDER PERMITTING APPLICATIONS AND DECLARATIONS TO BECOME EFFECTIVE, ETC.

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 10th day of December, A. D. 1943.

In the matter of National Power & Light Company, File No. 54-51, (Application No. 4); and in the matter of Carolina Power & Light Company, National Power & Light Company and Electric Bond and Share Company, File No. 59-67.

Carolina Power & Light Company, an electric utility company, and its corporate parent, National Power & Light Company, a registered holding company, and itself a subsidiary of Electric Bond and Share Company, likewise a registered holding company, having filed joint applications and declarations and amendments thereto under the Public Utility Holding Company Act of 1935, particularly sections 7 (e), 10 and 12 thereof and Rules U-42 and U-45 thereunder, regarding: the surrender for cancellation by National Power & Light Company of 16,806 shares of \$7 preferred stock and 148,041 shares of common stock, both without par value, to Carolina Power & Light Company, the issuer thereof, as a capital contribution to the latter; the transfer by National Power & Light Company to Carolina Power & Light Company, as a capital contribution, of 5 shares of \$100 par value stock and a note in the face amount of \$1,575,000 of its wholly-owned subsidiary, Roanoke River Power Company; the acquisition by National Power & Light Company of two shares of the common stock of Carolina Power & Light Company; and the amendment by Carolina Power & Light Company of its charter so as to provide special voting rights to its preferred stockholders in the event of specified defaults in dividend payments; and

Carolina Power & Light Company having filed an answer to an order of the Commission dated April 10, 1943, instituting proceedings directed to Carolina Power & Light Company et al., under sections 11 (b) (2), 12 (c), 12 (f), 15 (f), and 20 (a) of the act indicating therein the accounting entries to be made upon receipt of the aforesaid capital contributions from National Power & Light Company, and having filed a declaration under section 12 (e) and Rule U-62 promulgated thereunder as an amendment to said answer regarding the solicitation of authorizations from the stockholders of Carolina for the approval of the aforesaid charter amendment; and

A public hearing on said joint applications and declarations, as amended, and on said answer, as amended, having been duly held, the Commission having considered the record in this matter and having made and filed its findings and opinion therein:

It is ordered, That, subject to the terms and conditions prescribed in Rule U-24 promulgated pursuant to the Holding Company Act of 1935, said joint applications and declarations, as amended, be granted and permitted to become effective; and

It is further ordered, That the surrender by National Power & Light Company to Carolina Power & Light Company of 16,806 shares of the \$7 preferred stock and 148,041 shares of the common stock of Carolina Power & Light Company and the transfer by National Power & Light Company to Carolina Power & Light Company of 5 shares of \$100 par value stock and a note in the face amount of \$1,575,000 of the Roanoke River Power Company are necessary and appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935; and

It is further ordered, That the restriction regarding the payment of common dividends by Carolina Power & Light Company as contained in the order of this Commission dated December 15, 1942, Carolina Power & Light Company, et al. (File No. 70-603), is hereby rescinded; and

It is further ordered, That the proceedings instituted by order of this Commission dated April 10, 1943, directed to Carolina Power & Light Company, National Power & Light Company and Electric Bond and Share Company under sections 11 (b) (2), 12 (c), 12 (f), and 20 (a) of the Holding Company Act of 1935 are hereby terminated.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 43-19807; Filed, December 13, 1943;  
9:54 a. m.]

[File No. 70-618]

AMERICAN POWER AND LIGHT CO.

ORDER GRANTING APPLICATION FOR EXTENSION OF ORDER

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 9th day of December, A. D. 1943.

The Commission having on February 22, 1943 entered an order pursuant to sections 10 and 12 (c) of the Public Utility Holding Company Act of 1935 and Rule U-42 thereunder permitting American Power & Light Company ("American"), a registered holding company and a subsidiary of Electric Bond and Share Company, likewise a registered holding company, to expend, over a period of four months, not in excess of \$10,000,000 in cash to acquire by open market purchases part of its outstanding Gold Debenture Bonds, 6% Series, due 2016, and its assumed Southwestern Power & Light

Company 6% Gold Debenture Bonds, Series A, due 2022, at prices of not less than 95% nor more than 100% of principal amount, said maximum having been fixed in American's application and declaration and said minimum having been fixed by a condition in said Order; and

The Commission having on June 21, 1943, entered an order granting an extension of said order of February 22, 1943, without modification, pending the final disposition of the issues involved in an application by American for the modification of said order; and

The Commission having on August 10, 1943 entered an order pursuant to section 10 and 12 (c) of the Public Utility Holding Company Act of 1935 and Rule U-42 thereunder modifying and extending the said order of February 22, 1943, so as to permit American over a period of four months, ending December 9, 1943, to employ the unexpended portion of said \$10,000,000 in purchasing said debenture bonds at prices not in excess of 106% of the principal amount; and

American at November 27, 1943, having been unable to expend more than \$6,273,771 in the purchase of said debenture bonds and having filed an application for an extension of the said order of February 22, 1943 as modified by the order of August 10, 1943 for an additional four months; and

The Commission finding that under all the circumstances the extension of time requested by American may appropriately be granted pursuant to the applicable provisions of the Act and the rules and regulations thereunder:

It is ordered, That said application be, and hereby is, granted and the period within which purchases of American's debenture bonds may be made pursuant to the Commission's order herein dated February 22, 1943, as modified by the Commission's order dated August 10, 1943, be, and hereby is, extended for a further period of four months to an including April 10, 1944, subject to all of the terms and conditions and reservations of jurisdiction set forth therein and subject to the further condition that American advise by letter each known holder of its debentures of said extension of time for its purchase program although it may make purchases hereunder during the intervening period prior to the actual giving of such notice.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 43-19806; Filed, December 13, 1943;  
9:54 a. m.]

## WAR PRODUCTION BOARD.

CHARLES J. WILLARD

### CONSENT ORDER

Charles J. Willard, of South Portland, Maine, in the real estate business, is charged by the War Production Board with violation of Conservation Order L-41, in beginning residential construction, and continuing the same, without authorization, at an estimated cost in



excess of two-hundred dollars, at 11 Willard Haven Park, South Portland, begun in November 1942 and continued in April 1943. Said Willard admits the violation as charged, but denies that it was wilful, and does not desire to contest the charge of wilfulness, and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Charles J. Willard, the Regional Compliance Chief and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered, That:*

(a) Charles J. Willard, his successors and assigns, shall not order, purchase, accept delivery of, withdraw from inventory, or in any other manner secure or use material, construction plant or equipment in order to continue or complete construction of the house located at 11 Willard Haven Park, South Portland, Maine, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Charles J. Willard, his successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except in so far as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on December 10, 1943.

Issued this 3d day of December 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 43-19739; Filed, December 10, 1943;  
1:53 p. m.]

[Serial No. 7767]

COLUMBIA STEEL CO.

#### SUSPENSION OF ORDER REVOKING RATINGS

Builder: Columbia Steel Company, individually and as agent for Defense Plant Corporation, Room 2057 Field Building, 135 So. LaSalle Street, Chicago, Illinois. Project: Plancor No. 301, Billet, Structural and bar mill at Geneva, Utah, part of the project revoked.

*It is hereby ordered,* That the revocation order issued by the War Production Board on December 7, 1943 revoking the ratings assigned, by Preference Rating Order Builder's Serial No. 7767 or otherwise, to deliveries of materials or equipment for the billet, structural and bar mill to be built at Geneva, Utah, and prohibiting deliveries of such materials and equipment, is hereby suspended and shall have no force or effect until December 20, 1943.

Issued this 10th day of December 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 43-19773; Filed, December 11, 1943;  
11:37 a. m.]

[Certificate 189]

#### PENICILLIN OR THERAPEUTIC EQUIVALENT PROPOSAL FOR COLLABORATION BETWEEN CERTAIN COMPANIES AND THE GOVERNMENT

The ATTORNEY GENERAL:

As appears from the enclosed copy of a letter to me from the Director of the Office of Scientific Research and De-

velopment dated December 4, 1943, that Office has proposed that certain companies collaborate among themselves and with the Government in the development of synthetic penicillin or a therapeutic equivalent. I submit the proposal herewith, embodied in the form of contract between the Government and each of the subject companies and the Director's letter of submission of the contract to the companies.

For the purposes of section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I approve the proposal; and after consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with my approval as herein expressed is requisite to the prosecution of the war; but nothing in my approval shall be construed to authorize the doing of any act or the omission to do any act by the subject companies in manufacture, use or sale or in licensing to manufacture, use or sell under any discovery, invention or patent covered by the proposal in fields other than penicillin or a therapeutic equivalent, or to authorize the doing of any act or the omission to do any act under any other existing or future agreement or arrangement to which the subject companies may be parties in the field of penicillin or a therapeutic equivalent.

DONALD M. NELSON,  
Chairman.

DECEMBER 7, 1943.

[F. R. Doc. 43-19849; Filed, December 13, 1943;  
11:09 a. m.]